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POLLUTION OF THE INTERSTATE WATERS OF THE MISSOURI RIVER AND TRIBUTARY WATERS, KANSAS CITY METROPOLITAN AREA. TRANSCRIPT OF PROCEEDINGS OF PROGRESS EVALUATION MEETING HELD AT KANSAS CITY, MISSOURI ON APRIL 21, 1965, AND APPENDED SUMMARY OF CONFERENCE - DECEMBER 3, 1957 AND SECRETARY'S NOTICE

PUBLIC HEALTH SERVICE, WASHINGTON, D. C.

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TRANSCRIPT OF PROCEEDINGS

PROGRESS EVALUATION MEETING

IN THE MATTER OF POLLUTION OF THE
INTERSTATE WATERS OF THE
MISSOURI RIVER AND TRIBUTARY WATERS
KANSAS CITY & METROPOLITAN AREA
APRIL 21, 1965

AND APPENDED
SUMMARY OF CONFERENCE - DECEMBER 3, 1957
AND
SECRETARY'S NOTICE JUN 30 1960

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The transcript and appended data of the progress evaluation meeting regarding interstate water pollution of the Missouri River and its tributaries and its effect on Kansas City are presented. Focus is on the significance of the problem and methods for dealing with it, especially on the local level.

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PROGRESS EVALUATION MEETING

on the matter of

Pollution of the Interstate Waters
of the Missouri River in the
Kansas Citys Metropolitan Area

TRANSCRIPT OF PROCEEDINGS

April 21, 1965
Continental Hotel
Kansas City, Missouri

U. S. Department of Health, Education, and Welfare
Washington, D. C.

Progress Evaluation Meeting on the Matter of Pollution of the Interstate Waters of the Missouri River, Kansas Citys Metropolitan Area, convened at 9 o'clock a.m. on Wednesday, April 21, 1965, at the Continental Hotel, Kansas City, Missouri.

PRESIDING:

Murray Stein, Chief, Enforcement Branch, Division of Water Supply and Pollution Control, U. S. Department of Health, Education and Welfare, Public Health Service, Washington, D. C.

REPRESENTING WATER POLLUTION CONTROL AGENCIES:

Herbert C. Clare, U. S. Department of Health, Education and Welfare, Public Health Service, Kansas City, Missouri.
J. Lee Mayes, Kansas State Department of Health, Topeka, Kansas.
Jack K. Smith, Missouri Water Pollution Board, Jefferson City, Missouri.

PARTICIPANTS:

David C. Anderson, City Engineer, Gladstone, Missouri
R. H. Black, National Cylinder Gas Company, Kansas City, Kansas
C. G. Boylan, Bio Laboratories, Kansas City, Kansas
C. W. Brenneisen, Jr., City Attorney, Kansas City, Kansas
V. C. Cavin, Phillips Petroleum Company and Fairfax Drainage District, Kansas City, Kansas
Henry M. Cole, Sanitation Engineer, North Kansas City, Missouri
L. F. P. Curry, Mayor, Independence, Missouri
Robert R. DeSpain, Public Health Service, Kansas City, Missouri
Evan D. Dildine, Public Health Service, Kansas City, Missouri
Ward A. Dorsey, City Attorney, Parkville and Riverside, Missouri
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C. F. Egger, Public Health Service, Kansas City, Missouri
Ferd Filger, Mayor, Riverside, Missouri
Bob Frank, Mayor, Raytown, Missouri
Robert L. Garrett, Trans World Airlines, Kansas City, Missouri
C. A. Gates, Atchison, Topeka & Santa Fe Railway, Kansas City, Kansas
Tom Gavin, citizen, Kansas City, Missouri
Mrs. R. E. Gemmill, League of Women Voters, Kansas City, Missouri
Charles S. Graves, Atchison, Topeka & Santa Fe Railway, Topeka, Kansas
Glen C. Gray, Consulting Engineer, Gladstone, Missouri
Melville W. Gray, Kansas State Department of Health, Topeka, Kansas
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Jack W. R, Headley, City Council, Kansas City, Missouri
W. C. Hewitt, Water Pollution Commission, Shelbyville, Missouri
Jeffrey P. Hillelson, City Council, Kansas City, Missouri
John R. Hinds, Swift & Company, Kansas City, Kansas
Carl F. Hodgkinson, Schlup, Becker & Brennan, Engineers, Kansas City, Kansas
A. C. Hoefelman, Missouri Conservation Commission, Jefferson City, Missouri

Herbert C. Hoffman, City Counselor, Kansas City, Missouri
H. R. Hogendobler, Gustin-Bacon Manufacturing Company, Kansas City, Missouri
Warner Holloway, City Engineer, Raytown, Missouri
Glen J. Hopkins, Director Pollution Control, Kansas City, Missouri
O. C. Hopkins, Pollution Control Department, Kansas City, Missouri
Vern E. Hoyt, City Building Superintendent, Lee's Summit, Missouri
James M. Ingles, Bureau of Reclamation, McCook, Nebraska
William C. Johnston, Procter & Gamble Manufacturing Company, Kansas City, Kansas
R. G. Kincaid, Burns & McDonnell Engineering Company, Kansas City, Missouri
W. F. Koste, Plant Engineer, Chevrolet, Kansas City, Missouri
Peter Kuh, U.S. Department of Health, Education and Welfare, Public Health Service, Washington, D. C.
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Ray E. Lawrence, Black & Veatch, Engineers, Kansas City, Missouri
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Charles D. Lyngar, Fisher Body Division, General Motors Corporation, Kansas City, Missouri
Phil Maher, representing the Governor of Missouri, Jefferson City, Missouri
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C. Marvin Ward, Sinclair Refining Company, Kansas City, Missouri
Delbert E. White, General Motors Corporation, Kansas City, Kansas
A. T. Wicks, U.S. Department of Health, Education and Welfare, Public Health Service, Kansas City, Kansas
Roy B. Wilhite, Textile Maintenance Association, Kansas City, Missouri
Jack Witherow, U.S. Department of Health, Education and Welfare, Public Health Service, Kansas City, Missouri
Henry R. Wurst, Mayor, Gladstone, Missouri

PROCEEDINGS

CHAIRMAN STEIN: This meeting is in order.

This meeting on pollution of interstate waters of the Missouri River and connecting or tributary waters in or adjacent to the Kansas Citys metropolitan area has been called by the Department of Health, Education and Welfare in cooperation with the official water pollution control agencies of the States of Kansas and Missouri.

This is a little like welcome home for me to be back in Kansas City. I don't know, on a trip like this, how happy the people are to see me, but things have changed since we were here last. The attorney at that time for Kansas City, Mr. Koenigsdorf, is now a judge. I see Omar Hopkins, who used to be Deputy Chief of the division, now retired here, looking better than ever. This must be a good place for him. And I saw Glen Hopkins somewhere around, who used to be working for us. Either you moved your people up to better jobs or you have stolen some of our best people and put them on your payroll. This is a good way to operate.

I do think, though, we have seen some tremendous progress in the past ten years, and I do think before we start this meeting we should briefly look at the perspective.

Ten years ago, cities up and down the Missouri River, by and large, except for small one or two like Blair, Nebraska, were dumping their wastes raw into the river, Sioux City dumping its wastes in raw, Omaha down below using the river for its water supply, Omaha dumping its wastes in raw, both industry and municipal wastes, that going down to St. Joseph, St. Joseph doing the same thing going down to Atchison, Leavenworth doing the same thing down to Kansas City, all the cities along the Missouri from Independence on down and St. Louis doing the same thing. I think there was an issue at that time possibly just whether the river was polluted or not. Some people argued that it wasn't. I think those days have passed. I think we have agreed that the river was polluted.

I think there was an argument of what should be done. I think we are agreed on that. Not only are we agreed on what should be done, but every city up and down the river, large and small, is either engaged in construction or a program of construction, and some of them have completed their works for pollution abatement. I think we have made tremendous progress.

For example, maybe the prime example, because they so vigorously opposed it first and then decided to move ahead just as vigorously with an abatement program, is your neighbor way up stream, Sioux City, Iowa. I doubt that we ever had a more hotly contested hearing than we had in Sioux City. But when Sioux City decided to go ahead, they proceeded expeditiously with financing and with construction, and their plant is in operation.

Now, Sioux City economically had possibly a little different problem than Kansas City. Since the 1920's that city had not grown either in population or industry. After the plant was built, and this was cited as one of the major reasons, Sioux City won the award as an all-American city, the population is growing, new industry has come in, and existing industries expanding.

I am not saying that this alone, waste treatment alone, brought about the renaissance in Sioux City, but certainly, and I believe it was a major factor, no corporation likes to buy into a lawsuit or into litigation or potential litigation. People want a fairly decent place to live, particularly the people who make recommendations to major industry about moving a plant in or expanding a plant, and they have to bring up their children in these areas. I think these cities on the Missouri are unique and are different from other American cities because you have this tremendous water resource falling by your door and this has to be protected.

I do think that we have arrived at a pretty clear concensus of moving ahead. The only problem, and we have had this not just here, again to put this in perspective, but possibly in Omaha and other places, the only problem now seems to be when the works are to be completed and put into operation. It seems to me that this is relatively a narrow issue. It is a very important one, because without the works in operation the river does not get cleaned up. It hits very hard because the key to all these problems is financial, and that obviously is a vital one to the communities in this area.

But I do say that this is a relatively simple problem and one which I think by sitting and reasoning together, keeping an open mind, we should be able to resolve. We recognize that municipalities such as the Kansas Citys have tremendous problems. We also recognize that the Federal Government and the states have an obligation to maintain the quality of the waters of the Missouri River and that we have an obligation to the cities upstream and downstram; if these cities are proceeding, they are entitled to have all the other cities proceed in an equitable manner. And I do think for the economic wellbeing of the region and the companies, it seems imperative to us that the water quality of the Missouri River be improved.

I do say we have one other factor in this case that I think we are justifiably proud of and this deals with all pollution situations in the Missouri River Valley. The state agencies and the Federal Government after discussion and meeting such as this have always seen eye to eye on all aspects of the problem and have come up with unanimous recommendations. Now, this is a factor in the very tenuous and difficult field of Federal-State relations that is very hard to emulate, and we have done it here. I suspect that this will continue.

One of the aspects of this is that we proceed on all important matters with caution and with care. We have the firm notion that we are doing a public business and we do it in a public manner and I think this helps. We also have the notion that you cannot sit in Washington or Topeka or Jefferson City in an ivory tower and look at reports, however valid they may be, from our investigators or newspapers or what-have-you and make a judgment, that the best people to tell the story are the people intimately concerned, and we hold meetings of this kind so the story can be told by the people who are best able to tell it.

With that, we will get on with the meeting. Mrs. Rankin is making a transcript of the meeting. This transcript will be made available after it is printed through your state agency to you at no charge, so you will have a complete record of what is said here.

As I look at the schedule now, I am hopeful that we will be able to finish today. Now, I want to make it very, very clear, we are here as long as we have to be here and as long as anyone has anything relevant to say and can make a contribution. No one is going to be cut off. But in order for you to arrange your schedules, I do think that we very possibly can complete the presentation portion of this meeting before lunch, adjourn for lunch, and hopefully if we take a longer lunch so the state and Federal representatives can get together and talk briefly, we hope we will be able to have a definitive announcement as to the conclusions we have arrived at by this afternoon so we can all go away from here knowing precisely where we stand.

The other members here are Mr. Jack Smith of the State of Missouri, who is the chief executive of the Missouri program on the Missouri Water Pollution Control Board.

The next man on my left is Mr. Herbert Clare, who is the Regional Program Director of the Federal Water Pollution Control program in the midstates mid-American area, with headquarters in Kansas City.

The man on my right is Mr. J. Lee Mayes, of the Department of Health in Kansas.

My name is Murray Stein, and I am from headquarters of Health, Education and Welfare in Washington, D. C., and the representative of Secretary Anthony J. Celebrezze in this matter.

With that, I would like to call on Mr. Clare.

MR. CLARE: Mr. Chairman, I don't believe that I have anything to add. I think that you have summarized this very well from our understanding of the situation. I know that we are going to hear some reports of excellent progress, and I think the situation along the river is improving.

I do want to emphasize the fact that downstream water users are concerned about the lack of progress, especially in this area, and I am sure that we may hear some more of that today.

I don't believe I have anything further to add.

CHAIRMAN STEIN: Thank you. By the way, if any other than the panel at the table is to make a statement, we will appreciate it if they come to the lectern and identify themselves before they make the statement.

Mr. Clare, you showed me an Omaha paper this morning about a grease problem in Omaha, and Mr. Smith of Missouri, very rightly, is complaining about grease balls, and rather large ones, I understand sometimes they get to the size of a football, coming down to the St. Joseph water intake from Omaha. We have, as the papers will indicate and the record will show, been pursuing this cause as vigorously as we can, and pretty vigorously at that if you would listen to some of the people at Omaha, to be sure that this pollution is alleviated and abated within the shortest possible time. I bring this out to show the equities of the situation. I think we do have the responsibility to handle this in an evenhanded manner, and what we ask of Omaha to do to its neighbors downstream to protect Missouri communities, I think we have to ask of communities in Missouri, to take commensurate action.

Mr. Mayes, may we call on you now?

MR. MAYES: All right. Mr. Stein, what I would like to do is to make a rather brief statement concerning the Kansas side of the river and the progress there, and then call on the local people to make a more detailed statement.

While progress in constructing waste treatment facilities in the Kansas City metropolitan area has been considerably slower than desired, much progress has been made and many major problems have been dealt with through the years. We believe the program for the Kansas City, Kansas, area is at the point where a final effort during the next one and a half to two years will result in the collection and treatment of the remaining untreated waste discharges. A brief disucssion of some of the major obstacles encountered during the course of this program perhaps is in order.

One of the first needs that arose was that of adequate legislation for the City of Kansas City, Kansas. Legislation was needed which would permit financing the collection and treatment program through service charges and revenue bonds. The City of Kansas City, Kansas, sought and obtained the needed legislation in the 1959 Kansas Legislative session. Later in 1959 Kansas City and the Fairfax Drainage District met with the Kansas State Board of Health and presented schedules which they thought at that time they would be able to meet in carrying out a pollution program. These schedules were adopted by the Board and the respective governing bodies were ordered to proceed according to the adopted schedules.

In June 1960 the Federal hearing was held to consider the matter of pollution in the Kansas City metropolitan area and new schedules were established. In November 1960 the City of Kansas City, Kansas, presented to the voters of the city a referendum for fifteen million dollars to finance the cost of intercepting and treating the wastes in the community. Through strong promotional efforts on the part of the City officials, the Kansas City, Kansas, Chamber of Commerce and industries in the community, the election was successful and one of the major legal requirements for financing the program was fulfilled.

Early in the project there was recognition of the need for an effective sewer ordinance and sewer service charge. Beginning as far back as 1957, industrial representatives, city officials and state health department engineers began discussing industrial waste matters and the problem of sewer revenue charges. The eventual preparation of an ordinance and tentative service charge schedule brought to the major industries the decision of whether or not to participate in the city program or attempt waste treatment collectively or on their own. While most of the industries made this decision with reasonable promptness, the decision was a particularly difficult one for the major packers and stockyards industries. Many meetings were held in an attempt to answer questions, consider alternatives and seek an answer to the problem.

In March 1961, because of the delay which it was creating for the program, the undecided industries were ordered by the Kansas State Board of Health to take definite action to secure abatement of pollution either through use of the public facilities or construction of their own facilities. While these orders were appealed in the District Court of Wyandotte County, they were subsequently dismissed by the affected industries and the city was notified that they would utilize the municipal system for waste treatment. This action occurred in early July 1961 and cleared the way for final passage of the city sewer ordinance, the revenue schedule and the implementation of service charges.

Initially, the industries in the Fairfax Drainage District, except for the Phillips Petroleum Company, planned to have their wastes treated in a plant separate from the city system. This plant was to be built and operated by the Fairfax Drainage District. In recent years most of the district was annexed by the city, although industries in the district appealed the action in the courts. In 1963, city annexation of the area served by the drainage district sewers was affirmed by the courts and the city indicated it was proceeding with the design of the interceptor system and treatment plant on the basis that the Fairfax system wastes would be treated in the city system. Plans for the sewage treatment plant and interceptors have been based on treating the Fairfax wastes in the city system. A portion of the needed interception structures are under contract. We have notified the city and district, in effect, that we now consider the city responsible for treatment of these wastes.

At the present time the city has completed construction of the following portions of the waste collection and treatment system:

1. The Central Industrial District interceptor sewers.

2. The Central Industrial District pump station and force main.

3. The so-called "plant outfall" which consists of that portion of the collection system from the river crossing to the plant, the plant control manhole, and the outfall sewer to the river.

4. The Turkey Creek interceptor sewer to Turkey Creek tunnel.

The following portions of the system are under contract:

1. The Armourdale interceptor sewer from the pump station to Kansas Avenue.

2. The Armourdale pump station.

3. The Fairfax pump station.

Plans and specifications have been approved for the following:

1. The Armourdale force main to the river crossing.

2. The Fairfax force main to the river crossing.

Working plans and specifications for the treatment plant have been in our office since May 1964. These plans and specifications have been under review and a Federal grant offer is currently pending for the project. We are advised that completely finalized plans and specifications will be ready within 30 days following a final decision on final solids handling and ash disposal problems now pending. We expect to complete final review within 30 days following receipt of the finalized plans and specifications.

In addition, the city has yet to complete final planning and construction of the river crossing which is an extension of the Fairfax and Armourdale force mains, the remainder of the Armourdale interceptor, the Argentine interceptor, the Fairfax interceptor, and the Muncie interceptor. We understand that the city will have these facilities essentially complete and ready for use by January or February of 1967, which is also the anticipated completion date for the sewage treatment plant. In respect to these matters, the city will report in a little while in more detail.

I would like now to ask Mr. Stanley Smith of our staff to present information concerning industries whose wastes are not going to the city system and concerning treatment of wastes in the Kansas City, Kansas, area that are not within the municipal jurisdiction.

CHAIRMAN STEIN: Mr. Mayes, we may want to wait for questions until later. I have just one problem there. This is for clarification. I noticed those dates you have and I wondered if you could get your paper, because the 30-days date, 30 days after, this is all contingent after plans are firm or a decision is firm. In other words, while you have the 30-day date going down, there is no real date as to when that decision is to be made, is there?

MR. MAYES: This is correct. There are some decisions to make about the type of program that will be followed in the treatment plant construction.

CHAIRMAN STEIN: Yes.

MR. MAYES: In other words, concerning whether this is a Federal grant project. When this is settled, then we will move ahead.

CHAIRMAN STEIN: Yes. But the way I understand it is this, that while you have the 30- and 60-day dates, one following the other, this is not a time certain because this will all follow the decision that has to be made?

MR. MAYES: That is correct.

CHAIRMAN STEIN: However, your time certain is that by January 1967 the plant will be completed and in operation, that is a--

MR. MAYES: In this area, plus or minus time.

CHAIRMAN STEIN: Yes.

MR. MAYES: This is what we understand.

CHAIRMAN STEIN: Right. Thank you.

MR. MAYES: Now I would like to ask Mr. Stanley Smith of our staff to report on other matters.

MR. STANLEY SMITH: Of the individual Kansas industries cited at the 1960 Federal hearing, those not planning to connect to the city sewerage system for waste treatment are the Phillips Petroleum Company, Sinclair Refining Company, and Bio Laboratories, Inc. Bio Laboratories has moved its plant since the 1960 Federal hearings and is located in Wyandotte County where City sewers are not accessible. Our office granted a permit to Bio Laboratories in 1961 for treatment facilities of the extended aeration type. These facilities were constructed and are in operation.

Sinclair Refining Company has a permit from our office for the discharge of treated wastes to the Kansas River from their terminal operations. Their waste waters consist of small quantities of domestic sewage and surface runoff containing some oil from their petroleum product loading operations. The domestic wastes receive primary treatment and the oily wastes pass through a series of gravity oil separation basins. We feel that these waste waters are receiving adequate treatment.

Phillips Petroleum Company has, for many years, maintained an active waste reduction and prevention program at its Kansas City refinery. As a result of this program, there has been a steady improvement in the quality of the waste water effluent. In addition, Phillips has constructed and placed in operation a new waste treatment system and has been issued a permit by the Kansas State Department of Health for the discharge of treated wastes. Listed below are some of the major improvements that have been accomplished as a result of waste reduction and prevention programs and by the construction of waste treatment facilities at the Phillips Petroleum Company refinery in Kansas City, Kansas.

1. During the year 1957, facilities were installed to segregate, store, and load the sodium cresylate spent caustic obtained in the treatment of catalytic cracked gasoline into tank cars for shipment to another company in Texas, for the recovery of the usable components. This procedure has eliminated about 90 per cent of the phenolic-type materials produced from the catalytic cracking operation and resulted in a very substantial improvement in the quality of the waste water.

2. During the year 1958, construction was started on equipment for the steam stripping of the sour condensate water produced in the catalytic cracking operation. Facilities were also constructed for the

further treatment of this stream by extraction methods. This equipment was completed and placed in operation in March 1959 and has resulted in a reduction of 99 per cent of the sulfide content in this stream and a reduction of 95 per cent of the phenolic-type materials. For the use of this equipment, phenol contamination has been reduced to the levels established in the "Working Policy for Guidance of Missouri River Quality Program, Kansas City Metropolitan Area.*" Further improvements to this equipment were recently completed, which have resulted in additional reduction in sulfide levels.

3. In November 1961, facilities for the storage and shipment of sulfide spent caustics was constructed and all of this material is now being shipped to another company for recovery of usable material. This procedure and the equipment that has been installed have permitted the reduction of the sulfides in the waste water to a very low level and have reduced the COD of this effluent by about 50 to 60 per cent.

4. During the latter part of 1960, construction work was started on the first stage of the program to provide improved treatment of the waste water effluent. A large primary clarifier with combined flotation and settling facilities was constructed, and numerous sewers were rearranged to permit the segregation of wastes. In addition, all of the refinery sewer connections to the Fairfax Drainage District sewers were diverted to the new treatment facilities. This work was completed and the first stage of the treatment facilities was placed in operation on June 16, 1961.

During the year 1962, a pilot plant test program was carried out to determine the type of treatment to be installed as the second stage of the program. On the basis of this pilot plant test work, an engineering design was completed and an application was made to the Kansas State Department of Health for a permit to discharge treated waste water to the Missouri River. This application was approved in November 1962 and permits were granted. Construction work on the second stage of treatment facilities was completed during the first half of 1963. These facilities consist of an air flotation unit for the further removal of oil contamination. Facilities were also completed for the de-oiling and handling of the flotation materials separated by this process. During January 1964, additional equipment for the handling of this material was completed and placed in operation.

Phillips is presently involved in a large modernization program of their refinery facilities. These new modernized facilities make extensive use of air fin coolers, rather than water-cooled condensers, and will therefore considerably reduce the volume of waste water to be treated. The new facilities being constructed include equipment that will result in material reductions of oil contaminations at their source and thus this will improve the effectiveness of the presently-installed waste treatment equipment.

On the basis of laboratory tests and operational surveillance, we feel that Phillips is meeting acceptable standards for effluent streams discharging to the Missouri River. Procedures are established to insure the maintaining or improvement of present quality levels of the effluent from the refinery.

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* See Appendix

Since the 1960 hearing, treatments plants have been completed for previously untreated municipal sewage discharges to the Kansas River just upstream from Kansas City, Kansas, originating from systems serving Shawnee Township Sewer District No. 8, Wyandotte Township Sewer District No. 20, and Wyandotte Township Sewer District No. 7. Plants were also completed and placed in operation at Leavenworth and Atchison, Kansas, upstream on the Missouri River.

CHAIRMAN STEIN: Thank you.

MR. MAYES: Thank you, Stanley.

CHAIRMAN STEIN: What I would like to indicate, and perhaps we should have done this earlier, there are references to these hearings and conferences. I should point out that under the Federal enforcement procedure there are three stages, if necessary: Conference, hearing and court action. Most of our cases have been solved at the conference stage. Some have gone to a hearing, as this one has. We had a conference here December 3, 1957. The Surgeon General sent the summary out in January 1958. From June 13 to 17 of 1960 a hearing was held and the Secretary subsequently accepted the recommendations of that hearing board.

Under the Federal law, there is just one stage left if we employ it, and I hope we never will, and that is the court stage. But these are the things that are considered. In one city in this valley, St. Joseph, we had to use all three and had to take St. Joseph to court. So this will form a point of reference.

Mr. Smith, I wonder if you could clarify a little more on this question of phenols. You talked about the objective. What is the objective in phenols up here?

MR. STANLEY SMITH: Actually this is based on so many pounds per thousand barrels of crude oil processed in this policy that I referred to. I think that in the case of Phillips this amounts to about 2.3 milligrams per liter.

CHAIRMAN STEIN: You mean it is an effluent standard rather than a stream standard?

MR. STANLEY SMITH: Yes.

CHAIRMAN STEIN: Is that right?

MR. CLARE: If I recall correctly, the States of Kansas and Missouri have adopted an objective for the receiving waters not to exceed ten parts per billion. Does this sound reasonable, Stan?

MR. STANLEY SMITH: Yes.

MR. CLARE: I believe that this is the objective applied to the stream. But the figure you gave was for the effluent itself.

MR. STANLEY SMITH: Yes.

CHAIRMAN STEIN: Yes. I think this has to be--this 10 parts, you in Missouri have that?

MR. JACK SMITH: We have the same objective in the river, yes.

CHAIRMAN STEIN: I wonder if we can extend Kansas's border to the Mississippi River? Perhaps we can have their good influence and extend it to there, Jack.

Are there any more questions?

By the way, I think that is very fine. Now, let's see if we can again get a clarification. May we have your analysis of what Phillips is doing. Do you feel that they are providing satisfactory treatment now?

MR. STANLEY SMITH: Yes.

CHAIRMAN STEIN: And you think their plans in the works are even going to improve that effort?

MR. STANLEY SMITH: Yes, sir.

CHAIRMAN STEIN: Thank you.

MR. MAYES: I would like to say at this point that I believe the representatives of the industries Mr. Smith has spoken about are present and I understand will be glad to answer detailed questions if someone has some for them.

CHAIRMAN STEIN: Do you have any?

MR. CLARE: No, I don't think so.

MR. MAYES: All right, I would like to proceed and ask Mr. C. W. Brenneisen, City Attorney for the City of Kansas City, Kansas, to present the statement for the city.

MR. BRENNEISEN: Mr. Chairman, ladies and gentlemen. My name is C. W. Brenneisen, Jr. I live in Kansas City, Kansas, and as City Attorney I am here representing the City of Kansas City, Kansas. The following statement has been read and approved by the Board of Commissioners of the City of Kansas City, Kansas.

In November, 1960, Kansas City, Kansas, with an assessed valuation of less than $100,000,000 voted bonds in the amount of $15,000,000 for sewage treatment facilities, including interceptor sewers, sewage pumping station, and a sewage treatment plant.

In 1961, the City passed water pollution ordinances controlling sewage disposal, providing sewer service charges, regulating and adopting standards of wastes to be discharged in the City sewer system. The ordinances paid particular attention to industrial wastes. Since 1961, the City has issued $5,000,000 in bonds and collected about $1,000,000 a year from sewer service charges for water pollution control.

The waste treatment system for Kansas City, Kansas, has been very complex and much more difficult and time consuming than the administrative officers anticipated. The system includes miles of interceptor sewers estimated to cost 7.7 million dollars. Approximately 50 percent of the interceptor sewers have been completed. The system includes three major pumping stations. One has been completed. The other two are being constructed, one to be completed July 1, 1965, the other to be completed January 1, 1966. We do have our financial house in order with a sound basis for payment for our treatment plant, the remaining interceptor sewers, and the operation and administration of all water pollution control facilities.

Considerable construction has been completed or is under way in spite of the fact that many complications have developed to slow up progress. These complications, which have been of a political-economical nature, have delayed planning on several projects, but their resolution will result in better pollution control.

The obtaining of rights-of-way has been time consuming Much of our right-of-way has been, of necessity, in busy railroad yards and in some cases has involved extensive litigation in the federal court.

Considerable time was spent with representatives of the meat packing industry to resolve all differences prior to beginning design of facilities to serve the industry. It was necessary to meet with representatives of the Townships located to the west of the City and Johnson County to the south to determine the extent of the area to be served. Several months were spent in a joint study with Kansas City, Missouri, to exhaust the possibilities of treatment facilities to serve areas on both sides of the state line. Annexation of the Fairfax Industrial District delayed planning of facilities which have now been designed to serve the entire area.

Wastewater collection facilities for all of the area located in the CID have been completed. These projects, including the CID Interceptor, CID Interceptor-Stockyards Branch, CID pump station, force main and treatment plant outfall sewer, are ready for use by merely removing the plugs and throwing the switch.

This collection system will serve the following specific industries in addition to general area service:

Kansas City Stockyards Company,
Bio Laboratories sewer,
National Laboratories Corporation.

The Armourdale Interceptor from Kansas Avenue to the pump station is currently nearing completion with 99 percent of the work done.

The Armourdale Pump Station is under construction with approximately 78 percent of the work completed. This facility will serve Swift & Company, among others.

Plans and specifications for the Armourdale force main have been completed and approved. This project will be advertised for bids as soon as some minor right-of-way problems can be resolved.

The Fairfax Pump Station is under construction and the plans for the Fairfax force main have been completed and approved. This project will be advertised for bids as soon as some minor right-of-way problems can be resolved. These facilities will serve the Buick-Oldsmobile-Pontiac plant.

Plans for the Kansas River force main crossing are being prepared and the project will be ready for a fall contract letting.

Upon completion of the Fairfax Interceptor plans, the River Crossing plans, all projects north of Kansas Avenue will either be completed or under construction. This will permit the interception and transportation through the treatment plant site of about two-thirds of the total city sewage flow, which contains more than two-thirds of the total suspended solids.

The remainder of the Armourdale Interceptor will serve Midwest Cold Storage, while the Argentine Interceptor will serve Atchison, Topeka & Santa Fe and Procter & Gamble.

Facilities have been provided or are in the planning stage for all Kansas City, Kansas, industries named in the hearing of 1961, with the exception of Phillips Petroleum Company, Sinclair Refining Company, and National Cylinder Gas Company. Phillips and Sinclair are to provide their own facilities and the City will work out plans for the National Cylinder Gas Company. The latter creates only a small amount of sewage. Working plans and specifications for the treatment plant were presented to the State Board of Health in May, 1964, and later in 1964 an application for a grant was forwarded to the United States Public Health Service. As yet, the grant has not been approved nor has the Board of City Commissioners approved the working plans and specifications for the treatment plant.

Our consulting engineer recommended the Dorr Oliver process of final solids disposal in the plant. The governing body of the City has been considering both the new Dorr Oliver process and the new Zimpro process of final solids disposal. The Governing body of the City has been advised that neither the new Dorr Oliver process nor the new Zimpro process has as yet been in operation in a plant for a city of comparable size to Kansas City, Kansas. The Dorr Oliver process is to be put into operation in North Little Rock sometime this month, and the Board of City Commissioners of Kansas City, Kansas, plans a personal inspection of this plant as soon as it is in operation.

The governing body of the City plans to make a definite choice between the Dorr Oliver process and the Zimpro process immediately after the inspection of the North Little Rock plant and at the latest within 30 days from this date. If the Dorr Oliver process is approved by the Board of City Commissioners and the United States Public Health Service, final plans, specifications, bidding documents and contracts can be prepared within 30 days of approval. Advertising for bids will be made immediately and a contract will be let immediately after receiving bids if a bid is received under the engineer's estimate.

If the Zimpro process is adopted, it will probably take about four or five months longer to prepare the final plans and specifications. So with the approval of the Dorr Oliver process by the governing body of the City and the United States Public Health Service within the next 60 days, the plant should be constructed and in operation by January or February of 1967. If the Zimpro process is adopted, about four or five months will have to be added to this schedule to revise plans and specifications. By January or February of 1967 all interceptors and other facilities will be completed or under construction so that practically all the sewage originating in Kansas City, Kansas, will be intercepted and sent through the treatment plant by January or February of 1967.

Mr. Carl Hodgkinson, our consulting engineer, is here, and any facts or data desired of a technical nature should be requested from him.

CHAIRMAN STEIN: Thank you very much for a very comprehensive statement, Mr. Brenneisen.

Are there any comments or questions?

I think, Mr. Brenneisen, and this is for clarification, not really a question, part of the problem here, and we recognize this, is trying to accommodate and correct the sins of a hundred years that leads to these complications. The difficulty you have in a situation such as we have had in the Kansas Citys area, and this is common to the whole Missouri Valley, is that we were starting from scratch, so to speak, in sewage treatment and central collection. In other cities which you may have heard of having pollution problems, for example Washington, D. C., on our own Potomac back home, they had this system, the plant was just overloaded.

But without thinking in terms of the system, what has happened, as the city grew, you had a pipe taking that to the closest watercourse and the closest place on that watercourse. A good portion of the job is not only putting in the treatment works at one or possibly two or a limited number of central locations, but gathering all the wastes and getting them to the sewage treatment plant. This raises the complications.

As has been pointed out, the collecting sewers, the interceptor sewers, the mains and the trunks that you have to have always go through the most awkward places in town. That is where business is and it is like building a highway and getting rights-of-way where your choices are much more circumscribed than they are in planning of a highway, because you have to take advantage of gravity and go right through a business area or an industrial area. This always raises many, many more complications than are immediately imagined at first.

And I suggest this is one of the things that we have accomplished here. As you can see, this is pretty much close to ten years that we have been working on this, and I suspect that a good portion of the time-consuming factors and the delays have been in arranging for the interceptor sewers, the main trunk sewers, the rights of way, and where we are going to get them to get the wastes out. Having the experience of cities throughout the country, there is no easy solution to this. This is just one of the hardest problems in urban or metropolitan management that really isn't appreciated when you are dealing with an established city in trying to put this in. Hopefully, with city planning this can be provided for as the cities expand.

MR. BRENNEISEN: We have had problems with our right-of-way with the railroads, and I don't know what we would have done if they hadn't cooperated fully with us, because it has been a terrific problem to them for us to be building sewers through their yards and facilities.

CHAIRMAN STEIN: That is right. Well, thank you very much sir.

MR. MAYES: Thank you, Mr. Brenneisen.

Are there any industries in the Kansas Citys area that want to say anything?

MR. BRENNEISEN: I don't know.

MR. MAYES: They will be given an opportunity to say something if they want to.

MR. BRENNEISEN: I don't know any that do. They may. We met with them and told them, they understand that we are taking care of their matters.

MR. CLARE: One minor point, Mr. Brenneisen. You mentioned a 1961 hearing. Was this in reference to the so-called Federal hearing or was this a state hearing? The Federal hearing was held in 1960 and I didn't know whether you wanted the--

MR. BRENNEISEN: I think that should be corrected to 1960.

MR. CLARE: All right, sir.

MR. BRENNEISEN: Thank you.

MR. MAYES: Well, Mr. Stein, thank you. This concludes the statements from Kansas.

CHAIRMAN STEIN: Thank you very much.

We will recess for ten minutes while Missouri puts up its maps and charts. I think it will be worth waiting for. We stand recessed for ten minutes.

(Recess)

CHAIRMAN STEIN: May we reconvene? If there is any trouble hearing in the back, and I recognize this room may present some difficulties, will those people in the back just raise their hands and we will try to adjust.

Now we will hear from Missouri. Mr. Smith, do you have any questions or do you want to proceed?

MR. JACK SMITH: I have one question, Mr. Stein. Councilman Sebree asked me during the intermission about the completion date of the Kansas City, Kansas, interceptor system, he wasn't right clear on that and I wasn't either. Could we get that cleared up, please?

CHAIRMAN STEIN: Mr. Mayes.

MR. MAYES: Yes, I would turn that question back to the city.

Mr. Brenneisen, did you hear that question?

MR. BRENNEISEN: Yes. As I said, over 50 percent of our interceptors are completed, and the interceptors will be completed by the time the treatment plant is completed at our date of January 1 or February 1, 1967.

CHAIRMAN STEIN: Is that clear now?

MR. SEBREE: Yes, thank you.

MR. JACK SMITH: Thank you, sir.

I would like to introduce members of the Water Pollution Board and staff who are here with me today. And I will ask these gentlemen to stand.

Mr. W. C. Hewitt, chairman of the Water Pollution Board. Will you stand, Mr. Hewitt. Mr. Hewitt represents the public at large on our board.

Mr. John Reece. John, will you stand. He is one of our engineers and he helped prepare the data that we are presenting here today.

I would like to recognize some state officials who are here, Phil Maher, the Governor's representative on urban affairs. Phil, will you stand, please.

Mr. William Towell, who is Director of the Missouri Conservation Commission and also a member of President Johnson's Federal Advisory Water Pollution Board. Mr. Towell, will you stand, please. Thank you.

Now I would like to recognize a couple of ladies, Mrs. McLinan and Mrs. Gemmill, of the League of Women Voters. Will you stand, please.

I hope I have not overlooked any other state officials or persons who should be recognized at this time. If I have, call it to my attention and we will try to get that done later.

In preparation for this meeting, we have spent some time in reviewing what is actually being done by Kansas City and by surrounding communities. Now, while we recognize the interstate implications of the problem here, we also recognize the community problems that are involved, and to us this is very important. It is very important to the citizens of Western Missouri as a community problem, not only the problem of interstate pollution; we do not minimize this.

Now, unfortunately, we couldn't present the map as we would like to here on account of the air conditioning duct, so we had to bring down a portion of Kansas City to a lower level here. It is a real big place, one of the largest cities of the country, and we do want to show here the involvement with other communities. The program of pollution abatement of necessity must move forward together, and this is an implication we want to touch upon.

If you will look at the large map on the right, you see the City of Kansas City, which occupies most of the area. In the upper right northeast corner is the City of Liberty, and then near the center here is Gladstone and then Claycomo and then down close to the river North Kansas City and then to the right, it is not shown here too plainly, but the City of Independence and the City of Sugar Creek, and then we come on down to Raytown, Lee's Summit, and Grandview. And this is a community. In other words, the built-up area, the incorporated area, in Jackson County extends almost to Jackson-Lafayette County line today, so it really a rapidly developing area and there are community problems.

Now, running down through Kansas City is one of the important streams in this section, the Blue River. It comes down through the area there where there are shown two red lines. Those red lines indicate interceptor or principal sewers of the city. Now, I will touch on some of the other red lines here as I go on.

But now I would like to tell you a little bit about what we have found in our recent survey of the metropolitan area here insofar as pollution abatement is concerned. And I am going to read only briefly pertinent facts, and if you want specific facts regarding cities or specifications, we have this in a great deal more detail which we will be glad to discuss with you, but I don't think we want to burden all of you with all of the details. But to hit some of the highlights.

Kansas City operates and maintains 19 waste treatment facilities. Of these waste treatment facilities, seven are overloaded. 19 waste treatment facilities with a design load of 24,288 population equivalent and they are presently treating waste from a population equivalent of 17,720. Now, these are the facilities that are operated by the Pollution Control Department. In addition there are 12 waste treatment facilities in Kansas City that the Pollution Control Department is not responsible for. These facilities are owned and operated by developers and by individuals. These 12 facilities treat the waste of a population of approximately 5,000, so if we add these two together we find that at the present time in Kansas City we have treatment facilities for 29,000 population equivalents.

Kansas City operates and maintains 39 lift stations. A majority of these lift stations are in good condition. A few of them need repairs and the city is aware of this and is making steps to correct these.

Now, these numerous plants that I have indicated here are interim, what we consider interim treatment plants, that will be abandoned, most of them, when trunk sewers are available and when the program is completed. We want to point out that Kansas City, in our judgment, is doing an excellent job in maintaining and operating their facilities, and this is very important. It is important to build these facilities, but it is equally important to maintain and operate these, and we want to compliment Kansas City for doing a reasonably good job of maintenance and operation.

In addition, we want to commend Kansas City for an excellent job that they have done in waste reduction with industry. They have been working with this for a number of years, and this is necessary in a community that has a large amount of industry such as we have in St. Louis, at Kansas City, St. Joseph and Springfield, because these facilities that are built with public funds can rarely, if ever, treat all the waste unless controls are exercised at the source. And so Kansas City has done an excellent job and they have reduced the waste going to their sewer system, which will make their sewer system more effective and make their treatment more effective.

Now to touch on some of the other cities. Independence is a city of 82,000, that is the 1960 population, it is probably larger today, but they maintain and operate three waste treatment plants and 11 lift stations. The Adair Lagoon which they operate is grossly overloaded and corrections are needed in this area. The Spring Branch plant is overloaded. The Rock Creek plant is in good shape as far as capacity is concerned. I would like to point out that both the Spring Branch and the Rock Creek plants are well operated; some of the best operations in the State of Missouri we find at Independence. They do an excellent job.

If we look at the total capacity for the City of Independence to treat wastes, we find that they have a design population treatment capacity of 84,903, and they have a population equivalent presently being discharged to these facilities of 86,000. So it is apparent that in the not too distant future Independence is going to be needing to move ahead in some of the areas to relieve some overloaded conditions in their waste treatment works. They have eleven lift stations; seven of them are in need of repairs.

I should mention, too, that at Independence in their Rock Creek plant, this also serves the City of Sugar Creek. This is one example, I should say not the only, but one of the examples we have where two municipalities make use of one treatment plant, and this has worked out, we believe, quite satisfactorily to the benefit of Independence and Sugar Creek, one plant for these two communities. The American Oil at Sugar Creek has a complete waste treatment plant installed and has been in operation for some time and in our opinion doing an excellent job of protecting the stream.

The City of Raytown, with a 1960 population of 17,000, operates two waste stabilization lagoons and eleven lift stations. The Southwood Lagoon, which is loaded rather heavily and needs relief, is the one particular point of difficulty in the City of Raytown. Their large municipal lagoon is well within its capacity to treat waste and is not overloaded. The two lagoons, the Southwood and the main lagoon for Raytown, have a capacity of 24,709 and they at the present time have a loaded connected population of approximately 30,000, so you can see that they are in need of some relief. They have tried a couple of bond issues that have failed, but they are going to try again. There is a need, and I would like to point out that in this situation Kansas City and Raytown have attempted to work out a community agreement which we believe would be most beneficial to both communities. The wastes from Kansas City enter Raytown and the wastes from Raytown enter Kansas City, and we believe that there is real advantage to these two communities working together if at all possible.

This is also true of Independence, that some of the area along 40 highway by gravity drains into Kansas City, and it certainly is to the advantage of these two cities to work together and I believe that they are doing this.

Grandview at the lower end of our map here, at the southern extremity, has a population of a little over 6,000. They operate one waste stabilization lagoon of 50 acres and this lagoon is designed to treat the waste from 13,250. They are pretty close to that capacity again and it won't be too long until they need to make improvements.

The natural topography from Grandview flows toward Kansas City, and it is again our thought that it would be mutually beneficial for these communities to work together. The alternate is, of course, for each municipality to build its own treatment works, but if they do this, then the effluent is still going to go through Kansas City. In the case of Grandview, it is at the upper reaches of the Blue and Little Blue Rivers, and so this drainage from Grandview must pass through Kansas City and through Raytown.

If cooperative agreement can be reached, we can see that this is to the mutual benefit of Kansas City and Grandview and the other communities, Lee's Summit and Raytown. Even though we say waste is treated, treatment as we know it today is not 100 percent removal of pollutants. It is not economically possible today to provide treatment of this degree. With the best of treatment we know today, there is some pollutional material delivered to our streams, and you can recognize that the Little Blue River, for example, which is a very small stream, is very limited in its capacity and it is essential for the welfare of this community, we believe, that the cities that drain into the Little Blue River should cooperate together.

Lee's Summit, population of 8,267. Lee's Summit operates and maintains four waste treatment facilities. All of their facilities are loaded to capacity or slightly overloaded. The waste treatment capacity of these facilities is 12,500 and the connected population 14,000. Their lift stations and their treatment plants are well operated and in good condition, but again reaching a point where expansion and extension is needed in the very near future.

Claycomo, population 1,423. Claycomo operates and maintains a treatment plant. This plant serves the Ford Motor Company and the city. The plant has a capacity of 4,700 and is presently treating a population equivalent of 3,800. The city has two lift stations which are in satisfactory condition.

Gladstone, population 14,502, 1960 population. The city operates and maintains eleven waste treatment plants and nine of these plants are either overloaded or near capacity. They are in good physical condition, but they need relief. They need a system that they have voted bonds for which would provide for trunk sewers and connection to Kansas City. This is very much in need and again points out the fact of the desirability of intermunicipal cooperation, because from the City of Gladstone the drainage goes through Kansas City, and the drainage from Kansas City in the upper reaches goes through Gladstone. If you can provide a gravity system through these communities, it is a much safer practice and eliminates power stations, pumping stations, which are subject to failure and resulting discharge of raw sewage into our communities. So if at all possible, we think that this should be done. The Cities of Gladstone and Kansas City, we understand, do have agreements that will provide for their mutual benefit.

North Kansas City. This is a small community as far as population is concerned, 5,600, but has a very heavy and a very large industrial load. Their sewage treatment plant is designed to treat seven million gallons a day and a population equivalent of 294,000. At the present time their flow is approximately three and a half million gallons per day and their population equivalent tributary to the plant 275,000. This plant has been in operation for some time, it is well operated and well maintained.

At the present time North Kansas City is collecting and treating all but three percent of their sewage. They need some additional interceptors and separation of sanitary and storm sewers. They have assured us that this will be completed by the end of this year. 97 percent at the present time; three percent to go.

Parkville, a small community in the upper reaches of our map here on the western side of the community, of the Kansas City community, a population of 1,229. This community has a sanitary sewer system that serves approximately 1,000 people. Treatment of their waste is not provided. They have made their engineering study, they are having some complications on annexation which have prevented them from moving ahead with financing and construction. They have assured us that they will move ahead with this and will complete their treatment works well within our target date of the end of 1966.

Liberty, Missouri, skipping over now to the eastern side of the area and north of the river, a community of 12,000, their treatment works are now under construction and will be completed by June 1 of this year. This treatment works will treat all of the waste from the City of Liberty.

Now, I think I can say in summary that the communities in this are doing an excellent job of maintaining facilities. There is a need for further cooperation between the communities. There is a need for expansion of existing works.

I want to just summarize some of the things that our board considered on March 24 when they met with a representative of Kansas City. Early this year we communicated with Mayor Davis as to the status of pollution abatement in Kansas City and when the completion of construction would be, when they would complete all their facilities and all waste discharges from Kansas City would be completed. Now, the treatment plant for the west side is completed. It is not in operation. The Blue River plant is under construction and is due for completion next year.

The thing that we are concerned about concerning completion, and I can show you here on the map very briefly, is this. In this area from Main Street down to the treatment plant, which is located down here near the mouth of the Blue River, the interception system for this section has not, as we understand it, been financed nor, of course, placed under contract for construction. Part of the interception system is, but the part that would connect, pick up this waste up in here, would not be.

Now, the volume of this waste is approximately 12 to 15, 17 million gallons per day. Now, out of Kansas City's total this is about one-fifth, and we are proud of the fact they have done four-fifths. We would like to see that other one-fifth done, of course. I think we have to place this in perspective for the other communities and what this might mean: One-fifth not treated is equivalent to all the wastes from the cities of Joplin and Springfield.

This gives us concern and this is one of the reasons we are here, to hear from them. But one of the things that we considered at our meeting on the 24th was a statement of Kansas City of the progress they had made and we were pretty well aware of it, but we did appreciate their telling us and bringing us right up to date on what they had done and what they propose to do on the completion dates. But when we review the record, we look at the facts that the city was first advised of the need for pollution abatement back in 1953, that is 12 years ago. Because the city failed to keep pace with the schedule back in 1960, we felt compelled to put restrictions on Kansas City prohibiting further extension of the sewer system on the basis that addition to extensions would increase the pollution. We agreed to and we did, as soon as the bond issue for 75 million dollars was passed, relieve the situation, we withdrew all restrictions on Kansas City for extension of sewers. This was on November 6, 1960, when they passed the bond issue. On the next day we withdrew our restrictions.

We were real impressed, and I am sure the whole state was impressed, with the fact that this city passed this bond issue by a majority of four and a half to one. We have issued priorities and our board has the responsibility for issuing priorities for Federal grants to the City of Kansas City and to all cities who apply, and we have issued priorities for $2,349,727 to Kansas City, which incidentally is larger than any other city has received.

Of course we did this and we will continue to consider grants on the basis that a complete job is done. This is the purpose of the Federal Water Pollution Act, is to abate all pollution. This is an incentive program and this is the reason for the grants, is to stimulate cities, to speed up construction. And so we try to carry out the spirit of the law and speed up construction, and certainly we feel that this is indicated because of the appearance before Congress of many people requiring and demanding further restrictions, further tightening up of our Federal laws, and we feel like it is certainly incumbent upon us to try to achieve a cleanup of all of our rivers at the earliest practical date.

This just doesn't apply to Kansas City. We applied this target date of 1966 to all Missouri cities tributary to the Missouri River and to the Mississippi River cities 1967, one year behind. We are making excellent progress throughout this state. Many communities have treatment plants and have had them for a number of years, and we are not done. When you get the plants this is only one phase. We need this operation, we need constant vigilance and monitoring of our system, but first we have to have the treatment plants built. These are some of the things that we considered when we reviewed the Kansas City situation.

This sums up our statement of the area, the community problem as we see it, and the progress made to date, and we again compliment the cities. At this time I would like to call upon Mr. Victor Swyden, who is Chairman--

CHAIRMAN STEIN: Mr. Smith, would you hold yourself open for questions or comments before that?

MR. JACK SMITH: Surely.

CHAIRMAN STEIN: Do you have any, Mr. Clare?

MR. CLARE: Just one question that might be in the nature of a comment. You indicated, I believe, that Kansas City, Missouri, has received grant offers on the order of two million dollars at the present time?

MR. JACK SMITH: Yes, sir.

MR. CLARE: Would you say that Public Health Service grant offers to other municipalities in this Kansas City's complex have been of material assistance to those cities in accomplishing their program?

MR. JACK SMITH: I think it has. I think it has certainly been an incentive. That was the intent of it, to speed up. I think it has accomplished this. I think this is true throughout the state.

CHAIRMAN STEIN: Mr. Mayes, do you have anything?

MR. MAYES: No questions.

CHAIRMAN STEIN: All right. Mr. Smith, for the purpose of joining or clarifying the issue, as I understand your position, you are committed to the completion and putting in operation of needed treatment facilities by calendar year 1966?

MR. JACK SMITH: By the end of 1966.

CHAIRMAN STEIN: During the calendar year 1966 in this area?

MR. JACK SMITH: That is correct.

CHAIRMAN STEIN: Now I call your attention to the recommendations of the hearing board at the Federal hearing dated June 17, 1960, which were sent to all the discharges here by the Secretary of Health, Education and Welfare, and if you will recall, the State of Missouri was represented on that hearing board. I believe it was Freeman Johnson, wasn't it, who was a member of the hearing board?

MR. JACK SMITH: That is right.

CHAIRMAN STEIN: Said recommendations, which were endorsed by the Secretary and sent by him, said,

"On or before January 1, 1963, all such remedial facilities shall be placed under contract for construction."

This has not been done, I think it is fairly obvious.

MR. JACK SMITH: That is right.

CHAIRMAN STEIN: In other words, what you are is in violation. Now, you know, in working on a cooperative program with the states of this basin and particularly with your state and with Kansas in this area and the city here, we have tried to adopt a reasonable policy. This violation has not been acted on and has been overlooked.

As I understand it, you are still in favor of completion during calendar year 1966?

MR. JACK SMITH: That is correct.

CHAIRMAN STEIN: I heard the statement of the people from Kansas City, Kansas. Substantially they will be in compliance with us. Is that your understanding from what they said?

MR. JACK SMITH: A month or two, I understood.

CHAIRMAN STEIN: Well, I am talking about substantial compliance.

MR. JACK SMITH: Yes, that is right.

CHAIRMAN STEIN: You know, if we can figure it that closely, I will be very happy.

MR. JACK SMITH: Yes.

CHAIRMAN STEIN: All right. And I just say this for the record for clarification of an issue, if anyone has any difference here, so there will be no misunderstanding about the position of anybody.

Mr. Smith.

MR. JACK SMITH: I would like to call upon Mr. Victor Swyden, Chairman of the Public Improvements Committee, City of Kansas City. Mr. Swyden will make a presentation for the city and call upon any others that he desires to do so.

Mr. Swyden.

MR. SWYDEN: Thank you, Mr. Smith.

Before making the presentation from Kansas City, I would like to introduce the delegation represented here today.

I would first like to introduce Councilman J. D. Robins, Chairman of the General Committee, Councilman Frank Sebree, Chairman of the Finance Committee, Councilman Jack Headley, Chairman of the Public Utility and Industrial Committee, Councilman Jeffrey Hillelson, member of the Public Improvements Committee, Councilwoman Hagan, member of the Public Improvements Committee, Councilman Clark Ridpath of the General Committee, Councilman Dr. Thomas of the General Committee.

I also would like to introduce Mr. Glen Hopkins, Director of the Pollution Control Department in Kansas City. I would like to introduce Mr. Hoffman, City Attorney for Kansas City. I would like to introduce Mr. R. E. Lawrence of Black & Veatch, Consulting Engineers. I would like to introduce Mr. R. G. Kincaid, of Burns & McDonnell, also Consulting Engineers.

Mr. Chariman and members of the committee, Kansas City is well aware of its responsibilities in this Missouri pollution program, and I can say only for the two years that I have been in public office, the Public Improvements Committee and the Council of Kansas City have bent every effort to meet the scheduling dates of this program. Most of us at the time of going into office had read about and followed the program very closely through the press. Not until the time that we took office did we realize the responsibility and the magnitude of this project, and as of even last week in the last Council meeting we have an ordinance which contributes another million eight hundred thousand dollars to the program. I think the Council has earnestly tried to accelerate the program to meet every deadline that the Federal government has requested. I am well aware of the communication that went to the state stating that there might be a breakdown in the schedule date. We are here today to give a specific schedule date and to justify the dates as we feel that we can best do. It will be presented in three phases. Mr. J. D. Robins will take the first phase, I will come back and present the second phase, and Mr. Sebree will present the third phase, and the committee is welcome to ask questions of any member of our group at the end of this.

So at this time I would like to introduce Mr. J. D. Robins, who will take the podium.

MR. ROBINS: Ladies and gentlemen. My name is J. D. Robins, Jr. I am a member of the City Council of Kansas City, Missouri.

The City of Kansas City, Missouri, appreciates this opportunity of sharing with you a truly amazing progress report on the largest single project in the history of Kansas City. We are proud to present this report because it reflects a story of tremendous accomplishments in the face of staggering odds.

I need not paint for you gentlemen here today a picture of the pollution condition of the Missouri River back in 1960 as it flowed through our community and beyond. As you well know, and it has been pointed out here this morning, it was the recipient of all types of wastes and discharges, and certainly the Big Muddy had become a swirling cesspool of indescribable filth. And so the Federal government began to work with our communities and with other local communities to abate this pollution.

There are those who might wish to contend that Kansas City was slow back in those days in measuring up to its responsibilities in the matter of the abatement of river pollution. The truth of the matter is that the vast majority of our people recognized the problem and realized that it could be corrected.

In like fashion, in similar fashion, we have similar problems in our community in regard to traffic and we have great need for trafficways in our community and the people want them, but they are very costly to build. The ones we have were built because of the availability of Federal funds and it is doubtful if we would have them yet if it were not because of these funds.

But the river pollution problem has been different. If this job were going to be done, it would be the people of Kansas City who would largely do the job. As a matter of fact, in spite of what has been said here this morning, the contribution of the Federal government to this program is minor indeed; on the total projection, it is less than four percent of the total cost. 96 percent of this program will be paid for by the people of Kansas City and not by Washington.

On November 8 of 1960 the people of Kansas City, Missouri, went to the polls, as has already been pointed out, and by a majority of between four and a half and five to one, voted upon themselves a bond program of 75 million dollars for the abatement of river pollution. Never, never in the history of this city has a larger amount of bonds ever been voted upon favorably or even been attempted. I underline this because it will give you an appreciation of the scope of our undertaking. For our size and our financial capability, I suggest to you most strongly that our citizenry has responded magnificently, and in the next month after this election the then Council of this City of Kansas City, Missouri, adopted a new sewer rate ordinance. This ordinance levied a sewer service charge on all the water users effective January 1, 1961. And so the way was now clear for the program to begin.

And what have been the results to date? Well, I shall limit my remarks to the financial costs to the city to date to show that not only has this city met its original financial commitments to this program, but in truth has far exceeded them.

On May 17, 1961, our engineering firm submitted a projection of the costs of this 75 million dollar program containing a timetable for its financing. It called for this city to issue thirty million five hundred thousand dollars in bonds by 1970, and this information was shared with the Federal government. Now, have we lagged behind this schedule? Are we dragging our feet? Far from it. We have accelerated it. We are seven years ahead of this schedule in issuing bonds, for by November of 1963 we had issued thirty million five hundred thousand dollars worth of bonds and this amount was not originally scheduled to be issued until 1970.

There are two basic reasons why our rate of spending has been accelerated. First, our river pollution program is headed by Glen Hopkins, who has vigorously and energetically pushed to get this job done. Our city is fortunate to have him and he is bringing us fine results.

Secondly, costs are far exceeding original estimates. The cost to date is about nine million dollars more than originally estimated that it would be. Now, I say to you that any city's ability to do is pegged to its financial ability to do, and we respectfully suggest that Kansas City has not only measured up, it has already gone the extra mile.

We are here for you today to evaluate that progress and furthermore, and more importantly, to present to you for your evaluation our plans for continuation of this work. And let there be no mistake on this second point, we do not come empty handed to you today. This city has no intention of sitting back on its laurels. We intend to keep moving forward, we intend to keep pushing this program, and we shall presently detail our plans for the future.

How does one evaluate our accomplishments in this program? And how does one evaluate our plans for the future? Let us go, first of all, to the order of June 17, 1960, of the hearing board. This order calls for Kansas City to have its remedial facilities completed and placed in operation within a reasonable time after January 1, 1963. Any index of reasonableness must take into account a number of factors: The size of the job, the cost of the job, the evidence of good faith on the part of the community to do its best to do the job; and we believe that on every count we have measured up.

The cornerstone of our Federal government's operation with local communities has always been the recognition that local conditions vary. The Federal establishment from President Johnson on down has continually emphasized its desire to work cooperatively with local governments. Federal agencies have always prided themselves on the fact that they do not approach the local communities of America by waving the big stick and issuing Federal orders that bear no relationship to local conditions, and I was pleased that Mr. Stein referred to that fact when he said that he doesn't think that the Federal agency should sit in an ivory tower in Washington and not have a sympathetic understanding of the local community. I think this approach will do much to bring about the end results that all of us desire. No schedule that this city has ever submitted to the Federal government on this matter has ever failed to be met.

It hasn't been easy to accomplish the result. The cost of this program has been exceedingly heavy and burdensome to our people. While our people want to accomplish abatement, you certainly won't be surprised to learn that our sewer service charge has been an added cost to our people that has been far from popular. As we have projected our plans from here out, the City Council of this city has been painfully aware of this fact. We simply could not ignore it, and we ask that you be aware of it, that you be aware of it in your evaluation of reasonableness.

Your recognition of some of our local problems can do much to enable all of us to get this job done as quickly as possible, and when the test of reasonableness is applied to Kansas City, I believe you will agree that Kansas City has every right to be proud of its progress in the abatement of river pollution. The job isn't done, but we assure you that we intend to finish it given reasonable time to do it.

Thank you.

CHAIRMAN STEIN: Thank you. Are there any comments or questions?

MR. CLARE: I would like to ask a question for point of clarification, if I may.

MR. ROBINS: Yes.

MR. CLARE: You referred, Mr. Robins--incidentally, I think that was an excellent presentation, very convincing. You referred several times to a 75 million dollar bond election for, I believe you referred to it as, pollution abatement, but actually how much of this is for treatment facilities and how much approximately is for sewer extensions to serve new areas?

MR. ROBINS: The exact breakdown I cannot give you, although in the original intent I think the significant thing is that it was understood that both programs would be accomplished, and more significantly and more importantly, it is correct that contained within the over-all amount is the fact that the river pollution job would be done.

MR. CLARE: Could we have this information?

MR. SWYDEN: Do you wish to have this figure?

MR. CLARE: Well, when you make your presentation could you give us the clarification on this?

MR. SWYDEN: I will be glad to.

MR. CLARE: Thank you.

CHAIRMAN STEIN: Mr. Robins, I think you alluded to a point about this reasonable time. Again for the record, I think I should read the whole statement in here of that.

It says: "On or before January 1, 1963, all such remedial facilities shall be placed under contract for construction, to be completed and placed in operation within a reasonable time."

That is the complete statement of that recommendation.

MR. ROBINS: I beg your pardon?

CHAIRMAN STEIN: That is the complete statement of that recommendation.

MR. ROBINS: You are not suggesting that I quoted in error?

CHAIRMAN STEIN: No.

MR. ROBINS: I don't believe my statement is in contradiction to what you quoted.

CHAIRMAN STEIN: No, it isn't.

MR. ROBINS: All right.

CHAIRMAN STEIN: But I think the point of these statements-- and by the way, I fully agree with you on Mr. Hopkins. I have worked with him for years, I think you have probably the best man in the business, and I think I know most of them throughout the country. He is in charge of your program here. There is none better than he.

But I think this is a typical kind of statement in a lot of pollution abatement proceedings. The reason for that is that generally speaking, once a job is under contract, you can be reasonably sure that this will go ahead at a reasonable pace. The contractor has his machinery on the site and he can't leave it there too long if he wants to stay in business, he has to finish the job and get out, the money is--

MR. RAVENSCROFT: Execuse me, Mr. Stein. Who is Mr. Stein? I am Mr. Ravenscroft, Bill Ravenscroft, Leeds, Missouri. Wait just a minute. I want to tell you what I think and you can take it to Washington or any place you want to take it.

CHAIRMAN STEIN: How about sitting down and waiting, sir? I think we have to proceed--

MR. RAVENSCROFT: I have waited. I have been patient.

CHAIRMAN STEIN: Sir, I think we have to proceed in an orderly manner.

MR. RAVENSCROFT: Let me tell you, if you want to see how badly this city has handled the pollution program, just go take some pictures along that Blue River, take it along the Current River. Believe me, son, you don't have to believe me, just go take a look at it. They have got junk cars--

MR. ROBINS: This is not part of our presentation. (Laughter)

MR. RAVENSCROFT: Do you know what they want to do? All they are doing is playing politics with the damned thing. You know what I want to do? I would like to swim that Blue River like I did 50 years ago. I am telling you the truth, son. Thank you.

CHAIRMAN STEIN: Thank you very much.

MR. RAVENSCROFT: I am Bill Ravenscroft. If you can help clean up the damned job, I am with you.

CHAIRMAN STEIN: I am with you.

MR. RAVENSCROFT: You too.

CHAIRMAN STEIN: Councilman, would you--

MR. RAVENSCROFT: These old bald-headed boys around here don't mean a damned thing to me.

CHAIRMAN STEIN: I think the point, though, that we were making, and again for the record, is that once the contract is let, it can reasonably be expected that the job will be completed in a reasonable time. The key point here is, I think, that the contracts have not been let before January 1, 1963, and I am just putting the record forward on that. I don't think there is any debate on this.

The way I understand the situation, so there will be no difference here, if the objective of the State of Missouri is met for everything to be in operation by 1966, then it seems to us from an analysis of the situation, and this may be different when it comes out, that the contracts very well may have to be let all in 1965 or early 1965 for that to be accomplished. Now, if that is not so, then perhaps we are wrong on the facts.

I am not saying by this, by any token of what I said, that we are dealing with necessarily a completion date. To get the issue or get the positions relatively clear, if the contracts were going to be let by January 1, 1963, and all of them were let now, I wouldn't doubt that all your works would be completed, in and in operation probably by this date or very soon thereafter. Clearly that has not been done. If we are going to meet the objective of Mr. Smith, then perhaps the contracts have to be let in 1965. If the City Council has another view, then I think we have to consider that.

What I want to do is just lay this groundwork here. I don't think this reasonable time after the contracts are let, while we may come to a conclusion on that, is really going to be a problem, technically, philosophically or otherwise, because everyone is going to want to finish that job once the contract is let. This is not a problem in the pollution control field.

Mr. Clare?

MR. CLARE: Will we at some time find out what the average service charge is or find out something of the magnitude of the service charges? Will this be brought out?

COUNCILMAN SEBREE: 63 percent of the water bill for residential and 73 percent for commercial.

MR. CLARE: Could you give me some idea what this would amount to for a family of four, for example, an average figure, just some idea of what this would be in dollars and cents for a sewer service charge?

COUNCILMAN SEBREE: I think in my case it ran about $50, didn't it, for one year, $50, $60.

MR. HOPKINS: I don't have your specific figures.

COUNCILMAN SEBREE: Service charge.

MR. HOPKINS: The average residential water use in Kansas City is 750 cubic feet per month. The sewer service charge on that amount would be $1.29 per month.

MR. CLARE: Thank you.

CHAIRMAN STEIN: Go off the record.

(Off the record.)

CHAIRMAN STEIN: Mr. Swyden.

MR. SWYDEN: Thank you.

CHAIRMAN STEIN: On the record again.

MR. SWYDEN: To reply to your question, that is approximately 50 percent of your 75 million, 50-50 basis.

MR. CLARE: Thank you.

CHAIRMAN STEIN: I think we have some messages.

(Off the record.)

CHAIRMAN STEIN: All right, Mr. Swyden. Sorry for the interruption.

MR. SWYDEN: Thank you.

Gentlemen, the matter of pollution control has been a subject of controversy for many years. However, only in recent years has any progress been apparent. The population explosion and the spread of cities through annexation have taken place, and with this the great need for sewer service, as well as the expansion of industry with their need for sewer service, and the continuous need for sewer maintenance and service in the heart of the old city. All of these add to the problem of abating pollution of our rivers. We are all aware that these problems became so acute that Public Law 845, the original Federal Water Pollution Control Act, was enacted in 1948.

For your information, those of us that will speak this morning relative to this program have been associated with our pollution problem for only two years. The City Council in office prior to April 1963 initiated the program. The projections of the engineering companies had been fairly well established. It was the duty of this Council to insure the continuation of the program and to comply with the order for completion of the program within a reasonable time.

We have been informed that the original conference of December 3, 1957, established the date of June 1960 for the initiation of the construction contracts. We have also been informed that failure to meet the 1960 construction schedule led to the second step of the Federal enforcement program. The conduct of a formal hearing by a special board appointed for this specific purpose by the Secretary, Department of Health, Education and Welfare. Pursuant to this hearing, the Secretary, Arthur S. Flemming, issued an order dated June 30, 1960, to Kansas City and other municipalities and industries discharging waste into the Missouri River. This order stipulated that facilities necessary for the proper, adequate and effective waste treatment be placed in operation within a reasonable time after January 1, 1963.

Action to begin the Pollution Abatement Program was initiated with the passage of the 75 million dollar Revenue Bond authorization on November 8, 1960.

By ordinance effective May 1, 1961, the Pollution Control Department was created for the specific purpose of administering the entire program. We feel fortunate in having Mr. Glen Hopkins as our Director. His background in this field is well established and with his leadership we will carry forth this program to its completion.

By ordinance effective January 6, 1961, the engineering firm of Black & Veatch and Burns & McDonnell had been given full responsibility for detailed engineering design for the entire program and for the resident supervision of the actual construction.

The first issuance of Revenue Bonds was completed on March 1, 1962. By this action 18 million dollars was made available for construction. This bond sale was intended to finance the Turkey Creek Pumping Station and West Side Treatment Works, the Blue River Treatment Works, the Mill Creek, Highway 71, Red Bridge, Round Grove Creek, and Little Blue River Interceptor Sewers, and an interim treatment works at the terminus of the Little Blue River Interceptor.

The second series of Sewer Revenue Bonds was issued on November 1, 1963, in the amount of 12 million dollars. This issuance, according to the projection then set by the engineers, was to meet our needs until 1970.

At the time of the issuance, we had concluded that we were accelerating the program much faster than anticipated, or faster than the sewer service charge programming, but were assured that the program could be carried out as planned. This issuance was to finance the Santa Fe Pumping Station, the Northeast Industrial District Interceptor Sewer and Pumping Station, the North Bank Interceptor, the Buckeye Project, and several small projects intended to bring about treatment of all waste discharged to the Missouri River and its tributaries.

The program now visualized to be necessary for the immediate and near future needs of Kansas City is shown on the attached Figure 1. The estimated cost of the program depicted by Figure 1 is $44,750,000.

In May 1962 a comprehensive program was undertaken to reduce industrial wastes discharged to the municipal sewer system, through improved housekeeping, process changes and pretreatment. This program alone has reduced industrial wastes by an equivalent population of 123,000 as measured in terms of biochemical oxygen demand, or 175,000 as measured in terms of suspended solids. It has also precluded from our sewers the entrance each day of more than 7.5 tons of oils, fats and greases. Our industrial waste control program alone has thus effected substantial reduction in the wastes discharged from Kansas City.

The construction program to be financed by the two sales of sewer bonds was geared to have all works in full operation prior to or during the calendar year 1966. This program was considered fully consistent with all schedules established either by the Missouri Water Pollution Board or the Federal government.

The development within the City since the 1963 bond sale and the accelerated program of lateral and district sewers administered by our Department of Public Works has required that additional works be constructed. The construction cost of the Blue River Treatment Works and the Northeast Industrial District Interceptor Sewer and Pump Station were considerably more than estimated.

As late as November 1963 our construction program was anticipated to be $35,508,000; our actual construction program is now estimated at $44,750,000, an increase of almost $9,250,000. We are well aware that there would be changes and additions to the projected plans; however, this $9,250,000 is such that it jeopardizes the financing of the accelerated program. This difference leaves us, as will be shown later, a deficit of approximately 4.5 million dollars.

With these facts in mind, we are, therefore, preparing to schedule our program of completion and contracting dates as listed in Exhibit C attached.

Table A attached lists construction projects either completed or under construction, for which approximately $31,500,000 have been appropriated. This construction includes the two major treatment plants which, together with three interim plants already in operation or nearing completion, will receive the total waste discharges of the city. All of the treatment works will be in operation before the end of 1966.

As shown in Table B attached, approximately $5,100,000 remains available from our Revenue Bond Program to support the construction of projects yet to be undertaken. These projects, scheduled for contract award this spring and summer, are largely dependent upon the Blue River Treatment Works, which will be completed during the summer of 1966. Included in these projects will be the North Bank Interceptor Sewer, the Buckeye Pumping Station and its connection to the Northeast Industrial District Interceptor, and other smaller projects as noted in Table C attached. We anticipate that these projects will be completed and placed in operation by the time the Blue River Treatment Works can be operated.

We thus have scheduled to be placed in operation before or during 1966, abatement works costing approximately 36 million dollars. These works will receive in excess of 80 percent of the wastes entering the sewer system of Kansas City. We believe this constitutes progress unequaled by any city in the midwest. In all probability, expenditures by this one city for construction in a three-year period will compare favorably with total expenditures for pollution abatement in some of the Missouri Basin States during this same period.

Funds now available will reduce the projects included in Table C but which are contingent upon a future bond sale or sales to approximately $4,500,000. Detailed engineering design is essentially completed for these future projects, and their construction can be undertaken in short time after the additional financing is arranged. All projects in this category will require not more than one year for completion, after the construction contract has been awarded.

The attached Table D lists a tentative schedule for the financing of these remaining projects. It is visualized that the sale of 1.5 million dollars in General Obligation Bonds would be accomplished in each of three bond sales to be completed in November 1965, November 1966, and May 1967, respectively.

This schedule would permit completion of Projects 5A, 6 and 8 in November of 1966. This progress, together with our revenue bond program, would provide that 83 percent of our wastes would receive treatment by December 1966.

Project 8A would be completed in November of 1967, and Projects 12 and 15 would be completed in March of 1967. This progress would provide that not less than 85 percent of our sewage would be properly treated by March 1967. Projects 11, 14 and 16 are estimated to be completed by December of 1967, bringing the total of wastes subject to treatment to 88 percent.

At this point may I make this observation. The 88 percent was concluded when Mr. Hopkins and I were in session yesterday. This is a fast estimate as to the pollution program. We are checking the exact figure. There is basis for conclusion that it may exceed this. There is a

April 13, 1965

TABLE A

APPROPRIATIONS FOR CONSTRUCTION PROJECTS POLLUTION CONTROL DEPARTMENT

	PROJECT	APPROPRIATION	Completion Date
1.	Westside Treatment Plant	$2,112,626.42	Complete
2.	Blue River Pumping Station	3,494,523.24	Complete
3.	Sludge Filter & Incinerator	5,046,973.25	Aug. 1966
4.	Mill Creek Sewer and Pumping Station	967,100.40	Complete
5.	Trukey Creek Pump Station	1,327,915.40	Complete
6.	Red Bridge Extension, Blue River Sewer	1,153,229.50	Complete
7.	Ruskin Heights Project, Little Blue River	1,037,538.48	Complete
8.	Round Grove Creek Sewer and Pumping Station	660,907.69	Complete
9.	Searcy Creek Sewer	373,683.56	Complete
10.	Upper Shoal Creek Sewer and Treatment Works	1,532,945.23	June 1965
11.	Turkey Creek Force Main	572,768.75	Complete
12.	Sludge Force Main	662,871.36	Complete
13.	Highway 71 South Sewer	591,121.96	Complete
14.	Santa Fe Pump Station	786,684.66	Complete
15.	Rehabilitate 25th St. & SW Blvd. Pump Stations	230,457.12	Complete
16.	Cove Springs Sewer and Pump Station	367,023.88	June 1965
17.	Rehabilitate Sewer Lines	925,316.05	Complete
18.	Martin City Extension, Blue River Sewer	1,354,217.15	Nov. 1965
19.	Accessory Interceptor Sewer No. 1 (R.G.)	491,828.60	Complete
20.	Platte County Sewer and Treatment Works	585,457.98	June 1965
21.	Line Creek Sewers	562,757.00	Nov. 1965
22.	Lane Road Sewers	142,951.02	Complete
23.	Blue River Sewage Treatment Plant	4,207,930.92	Dec. 1965
24.	New Santa Fe Sewer	86,540.00	May 1965
25.	Blue Parkway Pump Station	70,076.48	Complete
*26.	Lower Sect., N.E.I.D. Interceptor*	2,016,653.00*	Aug. 1966
27.	Line Creek No. 314 Extension	18,102.29	May 1965
28.	Hiway 71 Interceptor Extension	76,461.25	Oct. 1965
	Total	$31,456,662.64	

* Ordinance to approve contract and appropriate funds introduced for Council action April 15, 1965.

April 13, 1965

TABLE B

SUMMARY OF INCOME, EXPENSES, AND RESERVES POLLUTION CONTROL DEPARTMENT

(816)	OPERATING FUND (January 31, 1965)			
	Income from Sewer Service Charge, February 1958 to date		$14,614,216	
	Expenses, to date		12,488,039	
	Reserve Funds available for transfer to Account #392			$2,126,177
(392)	BOND FUND			
	Bond Sales	$30,500,000		
	Contributions from operating fund	1,920,425		
	Federal Grants Received	1,054,722		
	Total		$33,475,147	
	Appropriations to date for planning and construction		32,009,276	
	Balance available			1,465,871
	Sub Total			$3,592,048
	Interest received to date			1,582,083
	Total now available for appropriation for Construction			$5,174,131

possibility it may hit 90. But we weren't able to come to this meeting with the axact figure until we actually evaluate the projects as they are completed. This is subject to change.

Project 9 would be completed in May of 1968, at which time all wastes discharging through Kansas City sewers would be provided treatment.

Let me point out again that the last phase of this would be contracted as of April 1967.

The attached Table E lists three projects having an estimated cost of $3,249,000 which are urgently needed to continue the orderly development of these areas of Kansas City. These are the projects that Mr. Smith was talking about a moment ago when he was talking about Raytown and the areas that were recently annexed in Kansas City, Missouri. However, these projects would serve areas not yet fully developed and for which existing waste discharges now receive some treatment through interim facilities. Recognizing that untreated waste discharges must be accorded higher priority than developing areas, Kansas City proposes to defer the urgently-needed projects listed in Table D until adequate treatment has been assured for all wastes now being discharged without treatment to the Missouri River and its tributaries. However, these three projects remain an important segment of our total program and financial problem.

May I deviate at this point to bring to your attention that at the time that the 75-million-dollar program was being voted on by the city, that same election contained the annexation of two areas, each of which areas in itself was larger than the original areas of Kansas City, Missouri. So at the outset, you can see we have problems to meet the entire program of Kansas City with areas annexed far greater than the original city.

It is our opinion that the $9,250,000 expenditure has altered our over-all plan and forced us to delay full completion at least one year. We feel that this added time is not too unreasonable, and hope that you can agree with us.

In conclusion, we wish to inform the Secretary that it is our conviction that the City of Kansas City has moved with dispatch towards the abatement of pollution discharged by our city. We are aware of the importance of this project and feel that actual expenditure of approximately 36 million dollars plus the anticipation of spending an additional 8 million dollars by May 1967, which is a total of 44 million dollars in a span of four years, for the remaining construction contracts necessary for full completion of the project is reasonable and will reflect a job well done.

It is our hope that the Secretary will accept our proposal for the scheduling of the remaining projects necessary for full completion of the over-all program for adequate treatment of the sewage and industrial wastes from this city.

Thank you.

April 13, 1965

TABLE C

POLLUTION ABATEMENT PROJECTS REMAINING TO BE PLACED UNDER CONSTRUCTION
POLLUTION CONTROL DEPARTMENT

	PROJECT	ESTIMATED PROJECT COST	ESTIMATED COMPLETED DATE
* 1.	Rock Creek Stub, Mill Creek Sewer	$ 90,000 *	Sept. 1965
* 2.	Mission Hills Sewer	400,000 *	Jan. 1966
* 3.	N.E.I.D. Pump Station	1,700,000 *	Dec. 1966
* 4.	87th St. Interceptor	150,000 *	Nov. 1965
* 5.	Buckeye Pumping Station River Crossing & Southern Road Sewer	1,720,000 *	Dec. 1966
* 6.	North Bank Interceptor	700,000 *	Nov. 1966
7.	Land Purchase, County Line Treatment Plant	230,000	---
8.	Line Creek Sewer Extension, Pump Station & Force Main	1,710,000	---
9.	Upper Section, N.E.I.D. Interceptor	1,220,000	---
10.	Plant Additions, 103rd & Raytown Road	798,000	---
11.	12th & 15th St. Project	150,000	---
12.	Airport Project	110,000	---
13.	Gooseneck Repair Project	285,000	---
14.	Accessory #1 Interceptor (Blue River)	250,000	---
15.	Manchester Interceptor	212,000	---
16.	Gardner Avenue Interceptor	150,000	---
17.	Shoal Creek Lagoon Additions	200,000	---
	Total	$10,075,000	
	Less appropriations already made for Engineering Design and land acquisition for above projects	552,613	
		$ 9,522,387	

* Intended to be contracted from funds currently available

TABLE D
PRELIMINARY SCHEDULE OF CONSTRUCTION
USING THREE SALES OF $1,500,000 IN G.O. BONDS
TO BECOME AVAILABLE NOVEMBER 1965, NOVEMBER 1966, AND MAY 1967 RESPECTIVELY

	Bond Fund Costs ($1000)		Date	
	Revenue	GOB	Contract Award	Completion
1. Rock Creek Sewer	90		July, 1965	March, 1966
2. Mission Hills Sewer	400		Oct., 1965	April, 1966
3. N.E.I.D. Pump Station	1,700		June, 1965	Dec., 1966
4. 87th St. Interceptor	150		June, 1965	Dec., 1965
5. Buckeye Pump Station	1,406		Sept.,1965	Dec., 1966
5. (a) Southern Road Sewer		314	Nov., 1965	Nov., 1966
6. North Bank Interceptor		700	Nov., 1965	Nov., 1966
7. Land Purchase, County Line	203		June, 1965	July, 1965
8. Line Creek Extension, Upper Section		1,710	Nov., 1965	Nov., 1966
8. (a) Lower Section			Nov., 1966	Nov., 1967
9. Upper Section N.E.I.D.		1,220	May, 1967	May, 1968
10. Plant Addition, 103rd St.	798		Nov., 1965	Nov., 1966
11. 12th & 15th St. Project		150	May, 1967	Dec., 1967
12. Airport Project		110	Nov., 1966	March, 1967
13. Gooseneck Repair Project	285		July, 1965	March, 1966
14. Accessory #1 Interceptor		250	May, 1967	Dec., 1967
15. Manchester Interceptor		212	Nov., 1966	March, 1967
16. Gardner Avenue Interceptor		150	May, 1967	Dec., 1967
17. Shoal Creek Addition	200		July, 1966	Oct., 1966
Total	5,259	4,816		

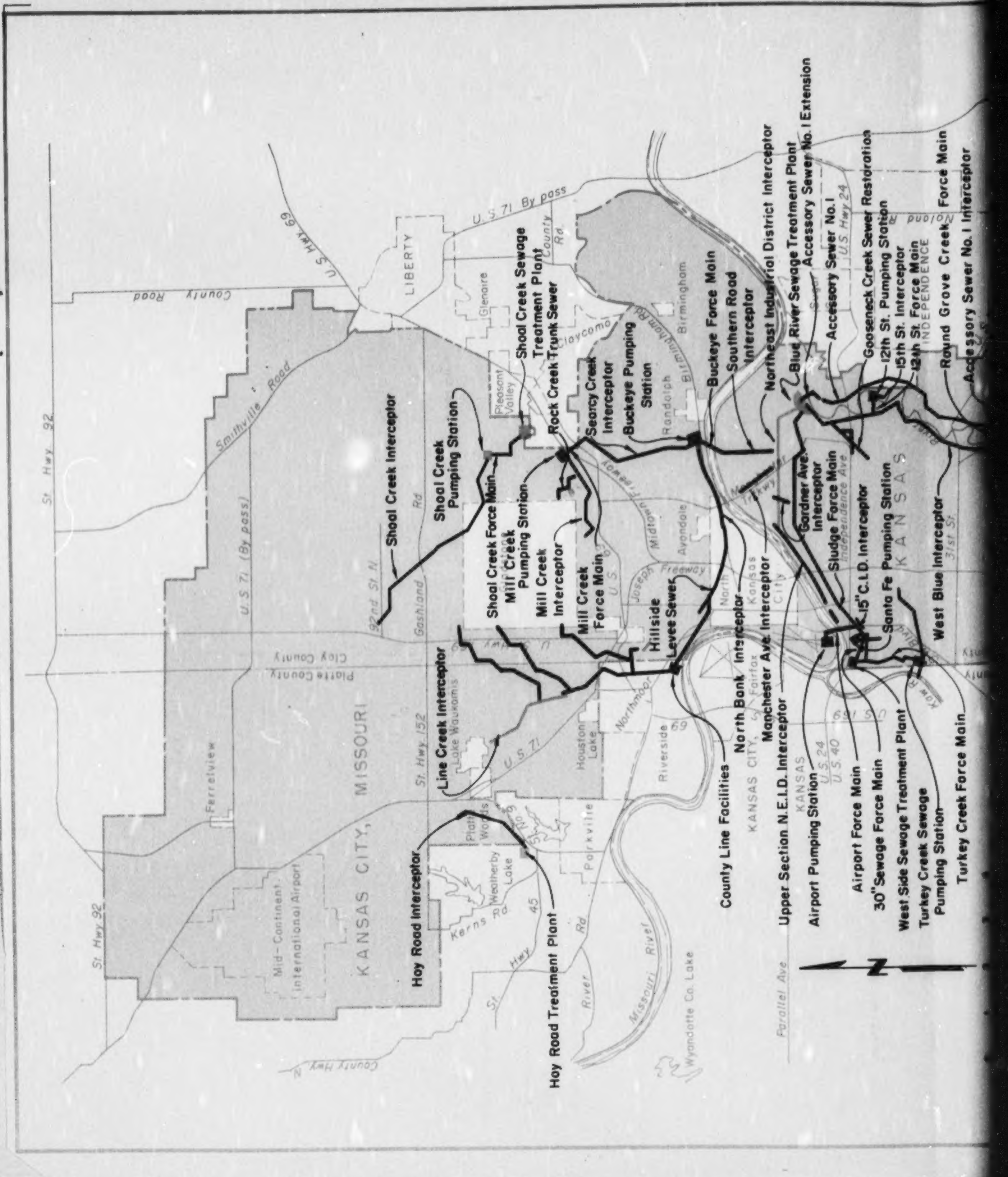
April 13, 1965

TABLE E

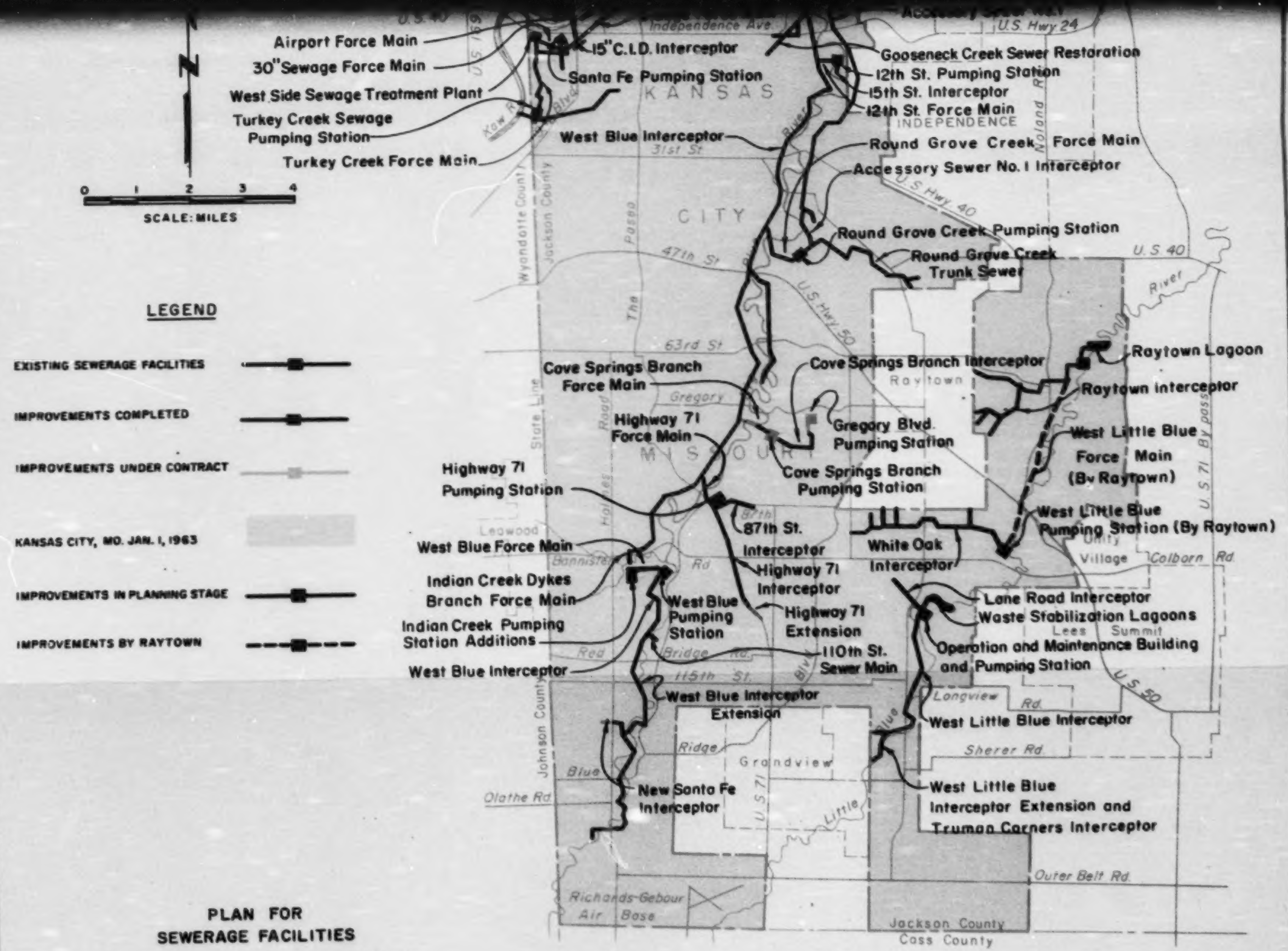
INTERCEPTOR SEWER PROJECT NECESSARY TO SERVE GROWTH AREAS OF CITY.

PROJECT	ESTIMATED COST
1. Line Creek Sewers, #303, 304, 313 and 314	$ 1,200,000
2. *Lower Little Blue Tributary Sewer	1,150,000
3. Southern Extension, Little Blue River Sewer	899,000
Total	$ 3,249,000

* Contingent upon Pumping Station, Force Main and Treatment Work Additions to be constructed by Raytown, financing for which has not yet been authorized by Raytown.



KANSAS CITY, MISSOURI
Mid-Continent International Airport
Hoy Road Treatment Plant
Hoy Road Interceptor
Line Creek Interceptor
Shoal Creek Interceptor
Shoal Creek Pumping Station
Shoal Creek Force Main
Shoal Creek Sewage Treatment Plant
Rock Creek Trunk Sewer
Mill Creek Pumping Station
Mill Creek Interceptor
Mill Creek Force Main
Hillside Levee Sewer
Searcy Creek Interceptor
Buckeye Pumping Station
Buckeye Force Main
Southern Road Interceptor
Northeast Industrial District Interceptor
Blue River Sewage Treatment Plant
Accessory Sewer No. I Extension
Accessory Sewer No. I
Gooseneck Creek Sewer Restoration
12th St. Pumping Station
15th St. Interceptor
12th St. Force Main
Force Main
Round Grove Creek
Accessory Sewer No. I Interceptor
Gardner Ave. Interceptor
Sludge Force Main
15" C.I.D. Interceptor
Santa Fe Pumping Station
West Blue Interceptor
County Line Facilities
North Bank Interceptor
Manchester Ave. Interceptor
Upper Section N.E.I.D. Interceptor
Airport Pumping Station
Airport Force Main
30" Sewage Force Main
West Side Sewage Treatment Plant
Turkey Creek Sewage Pumping Station
Turkey Creek Force Main
LIBERTY
INDEPENDENCE
KANSAS
KANSAS CITY, KANSAS
North Kansas City
Ferrelview
Platte Woods
Weatherby Lake
Parkville
Riverside
Northmoor
Houston Lake
Lake Waukomis
Glenaire
Pleasant Valley
Claycomo
Randolph
Birmingham
Avondale
Fairfax
Platte County
Clay County
Missouri River
Kaw River
Wyandotte Co. Lake
St Hwy 92
St. Hwy 152
St Hwy 45
St Hwy No. 9
U.S. 71 (By pass)
U.S. 71 By pass
U.S. Hwy 69
U.S. 71
U.S. 69
U.S. 24
U.S. 40
U.S. Hwy 24
Smithville Road
County Road
County Rd.
County Hwy N
92nd St. N.
Gashland Rd
Kerns Rd.
River Rd
Parallel Ave
Joseph Freeway
Midtown Freeway
Birmingham Rd
Independence Ave.
Sugar Cr.
Noland Rd
31st St
N


Airport Force Main
30" Sewage Force Main
West Side Sewage Treatment Plant
Turkey Creek Sewage Pumping Station
Turkey Creek Force Main
15" C.I.D. Interceptor
Santa Fe Pumping Station
West Blue Interceptor
Gooseneck Creek Sewer Restoration
12th St. Pumping Station
15th St. Interceptor
12th St. Force Main
Round Grove Creek Force Main
Accessory Sewer No. 1 Interceptor
Round Grove Creek Pumping Station
Round Grove Creek Trunk Sewer
Cove Springs Branch Force Main
Highway 71 Force Main
Highway 71 Pumping Station
Cove Springs Branch Interceptor
Gregory Blvd. Pumping Station
Cove Springs Branch Pumping Station
Raytown Lagoon
Raytown Interceptor
West Little Blue Force Main (By Raytown)
West Little Blue Pumping Station (By Raytown)
87th St. Interceptor
White Oak Interceptor
West Blue Force Main
Highway 71 Interceptor
Indian Creek Dykes Branch Force Main
West Blue Pumping Station
Highway 71 Extension
Indian Creek Pumping Station Additions
110th St. Sewer Main
West Blue Interceptor
Lane Road Interceptor
Waste Stabilization Lagoons
Operation and Maintenance Building and Pumping Station
West Blue Interceptor Extension
West Little Blue Interceptor
New Santa Fe Interceptor
West Little Blue Interceptor Extension and Truman Corners Interceptor
U.S. 40
U.S. 169
Independence Ave.
U.S. Hwy 24
INDEPENDENCE
Noland Rd
KANSAS
CITY
MISSOURI
Kaw R.
Blvd
Wyandotte County
Jackson County
31st St
The Paseo
47th St
63rd St
U.S. Hwy 40
U.S. Hwy 50
River
Blue
Raytown
Gregory
Road
Holmes
State Line
Leawood
Bannister Rd
87th
Unity Village
Colborn Rd
Lees Summit
U.S. 50
U.S. 71 By pass
Bridge Rd
115th St.
Blvd
Longview Rd
Sherer Rd
Ridge
Grandview
U.S. 71
Little
Johnson County
Olathe Rd
Outer Belt Rd
Richards-Gebaur Air Base
Jackson County
Cass County
0
1
2
3
4
SCALE: MILES
LEGEND
EXISTING SEWERAGE FACILITIES
IMPROVEMENTS COMPLETED
IMPROVEMENTS UNDER CONTRACT
KANSAS CITY, MO. JAN. 1, 1963
IMPROVEMENTS IN PLANNING STAGE
IMPROVEMENTS BY RAYTOWN

PLAN FOR
SEWERAGE FACILITIES

KANSAS CITY, MISSOURI

BLACK & VEATCH AND BURNS & McDONNELL
CONSULTING ENGINEERS–KANSAS CITY, MISSOURI
1965

FIGURE I

CHAIRMAN STEIN: Thank you. The tables will be included without objection as part of the record as read.

MR. SWYDEN: Yes, sir.

CHAIRMAN STEIN: We will put in the map. As you know, we can't reproduce a color, but I think it will come out all right.

MR. SWYDEN: Fine.

CHAIRMAN STEIN: I would like to say, Mr. Swyden and Mr. Robins, this is, I think, a very excellent statement. While there may be differences, I think this shows how far we have come, because I think your position is very clear. Would you want questions now or do you prefer to wait until--

MR. SWYDEN: Why don't we wait until Mr. Sebree makes his statement on the financing and then we can entertain questions.

CHAIRMAN STEIN: Fine.

MR. SEBREE: Mr. Chairman, members of the hearing board, distinguished guests and interested parties.

My statement will be very brief. Incidentally, I am a member of the City Council, Chairman of the Finance Committee. My part on the program is to subject myself, if there are any questions, to questions of the proposed financial ability of the city to do this.

Let me say, though, before making that one suggestion on the financing, the situation that Kansas City finds itself in, I think, is complicated somewhat by the fact that although we have very outstanding people connected with this program, some of the details of the program comprise a staggering amount not only of money but of actual construction. It is not always possible in the beginning to know exactly what is going to be involved.

I think you will agree, Mr. Stein, I believe you have already said, that in Mr. Hopkins we have one of the outstanding men in pollution control work as our Director. I think you will also agree that the consulting engineers which we have on this project, Black & Veatch and Burns & McDonnell Engineering Company, are both considered nationally as outstanding consulting engineers in this and other fields. And yet I want to actually show you the documentation, because I think it is important in determining rasonableness, which is what you gentlemen are really in essence confronted with.

We have floated two revenue bond issues under this pollution control program, one in March 1 of 1962, a second in November 1 of 1963. These two revenue bond issues total 30-1/2 million dollars.

The reason I call attention to this, and again I stress the fact that we had topnotch people in the country on this program, is to show you how far even experienced people that are in this program can miss on the estimates of what will be necessary. I would like to read you a statement that appears in the prospectus of the bond issue floated in November of 1963. November of 1963, as we all know, was approximately one year and a half ago. This prospectus was gotten up by the consulting engineers with our Director of Pollution Control and--

CHAIRMAN STEIN: Mr. Sebree, do you want to identify the title of that for the record?

MR. SEBREE: It is a prospectus, Notice of Sale and Official Statement Relating to $12,000,000 City of Kansas City, Missouri, Sewerage System Revenue Bonds, Second Issue, dated November 1, 1963. And on page 13 of this prospectus, after it refers to the earlier issue, the one in 1962, it concludes this way:

"The construction program stemming from the first two bond sales include all facilities necessary for collection and treatment of all sewage now discharged to the Kansas, Missouri, Blue and Little Blue Rivers, and to Mill, Searcy, and Shoal Creeks, and to assure full compliance with the schedule for pollution abatement as established by the state and Federal governments. In addition, the program includes the trunk sewers most urgently needed to extend sewer service to the undeveloped areas of the city and thereby relieve the most pressing needs of development."

A year and a half ago, some of the best people in this business in the country said we had enough to do all of the phase 1 of the Federal program and some more. We now find this is not true and certainly there is no--you are dealing with unknowns and we have to recognize it. We now find that waht we thought then just didn't turn out to be the fact. The date is important, because at this same time those of us in the room for the most part will realize that we on the Council were proposing to the people of this city that they impose an earnings tax upon themselves, at which time we committed that we would not raise any taxes if it passed, and at least the majority of the Council feels that that commitment included sewer service charges, which are unpopularly known here as the sewer tax.

As a consequence, when we are faced with a situation, we recognize that having gone this far, and as I think you have indicated by your actions here today having gone very successfully this far, with the treatment of the sewage pollution of the Missouri River, it was now incumbent, we felt, to complete this work, and, therefore, the City Council met, meeting informally, but with all 13 members present, did vote to complete this program by the issuance of a million and a half dollars in General Obligation Bonds in November of this year, another million and a half dollars in November of 1966, and a million and a half dollars in May of 1967. We naturally hope that we can accelerate this program, but we at this time are in a position to commit to those dates and we have worked with Mr. Hopkins, who I know you know will tell you truthfully what he can do and what he cannot do, and he has come up with this revised program.

We believe that as you gentlemen deliberate on this particular case to consider a recommendation to the Secretary that you will naturally be cognizant of the problems that we have in our local area. I think you will be cognizant, because you are probably far more familiar than we with the problems that occur in this type of work, and as I say, in the problem that has existed, because as recently as a year and a half ago this city felt we had done everything that we needed to do to comply. And I think all of these must be taken into consideration in terms of reasonableness. We are not saying that we do not want to clear up the Missouri River from pollution. We have said that we have done a tremendous job in going this far and that we do not propose to quit.

We are asking for an extension that would be over and above the period that Mr. Smith was talking about, but we do believe that as you consider this question and as you consider this problem that the delay we have asked for is not unreasonable and that we do earnestly solicit your consideration of this and that you will recommend that such a revised schedule be accepted as proper and reasonable.

CHAIRMAN STEIN: Thank you, Mr. Sebree. Not having a question now, but I would endorse your view respecting Mr. Hopkins, Black & Veatch, and Burns & McDonnell, and Ray Lawrence back there. I don't think you could have a finer group working than this.

MR. SEBREE: Thank you. We don't either.

CHAIRMAN STEIN: And I would suspect, I followed this project through the years, that by the careful engineering and by the work of Mr. Hopkins the city, in fact, has been saved tremendous amounts of money. If you did not have Mr. Hopkins backed up by those engineering firms, I would imagine wherever the money was coming from you would find your deficit quite a bit larger than it is now.

MR. SEBREE: I think so too.

CHAIRMAN STEIN: It is only so small because of Mr. Hopkins.

This is a phenomenon that is peculiar to very many of the cities. As you know, construction costs go up and this is one of the things I am sure you have taken into account.

MR. SEBREE: Well, I agree with you.

MR. SWYDEN: We are the first to recognize that and appreciate their efficiency.

MR. SEBREE: Yes.

CHAIRMAN STEIN: You know, there was one city in the country, and this is in the midwest too, kind of east of here, which built this treatment plant--Mr. Hopkins probably knows the names of these plants--that built their plant and when they built it it was twice as much as the original estimate because they delayed, and not too many years. But prices do go up and estimates are a little off.

I do think, considering the magnitude of your project and your problem and the unknowns in the problems that you have had in Kansas City, that you have come out remarkably well on your estimates. I think your technical staff is indeed to be commended.

MR. SWYDEN: We appreciate that, and in discussing it with them are fully aware that we may anticipate more of this as we go along and hope to be able to meet these anticipations.

CHAIRMAN STEIN: Thank you. Are there any more for the city?

MR. SWYDEN: No.

CHAIRMAN STEIN: Are there any questions?

MR. JACK SMITH: I would like to ask a question here.

The Table A shows the work that has been done, but is it not true that all of this is not pollution abatement work in the sense of abating river pollution? There are other features in it?

MR. SWYDEN: Yes.

MR. HEADLEY: Mr. Hopkins, why don't you answer that?

MR. GLEN HOPKINS: Would you restate your question?

MR. JACK SMITH: In Table A this expenditure of 31 million dollars is not all for pollution abatement work. For example, I see Martin City Extension Blue River Sewer $1,354,000. I don't think we question the desirability of this, but this is really not a pollution abatement program, is it? This is not a treatment plant, this is what I am saying.

MR. GLEN HOPKINS: That is not a treatment plant. It is an extension of the Blue River Interceptor Sewer that was brought about as stated in Councilman Swyden's presentation. The acceleration of the district sewer program financed by special assessments against the benefitted area required the extension of this project. It is not a project that was visualized at the time of the Federal hearing in 1960. It was certainly included in the 75 million dollar bond authorizations and it is certainly required by the development of Kansas City subsequent to the 1960 hearing.

MR. SEBREE: It is necessary to take the sewage and keep it from going into the Missouri River, isn't it?

MR. GLEN HOPKINS: In this particular one that Mr. Smith has pointed out, the sewage was not yet emanating at the time this contract was entered into. Two connections are now being made to this sewer that would have either required interim-type facilities or raw waste discharges by now.

MR. JACK SMITH: I want to make it clear that we don't question for a minute the desirability of these. But as I got from Mr. Sebree, we might get the impression that this cost, this estimated cost, was missed about nine million dollars for pollution abatement. Now--

MR. ROBINS: No, that isn't the statement that is being made. I will repeat what I said, that in the original projection these other jobs which are minor to the total job were always considered and it would not be correct to say that just the river pollution abatement program is behind nine million because something else would be done. And I think the record should show that that is not true.

MR. GLEN HOPKINS: If I may supplement that statement, this particular project on which you raised question was specifically outlined in the bond prospectus of November 1, 1963, so that it does not contribute to the overrun of project costs made in November of 1963. That overrun adheres to and accrues from those works pretty much on the banks of the Missouri River. There will result from that increase in cost a better and more adequate system.

For example, at the time of the November 1963 prospectus it was visualized that the Northeast Industrial District interceptor sewer would only carry the intercepted flows from the existing outfall. It dawned upon us that it would be foolish to build a sewer through that large undeveloped area without including capacity for the area to develop. It would have required that another large sewer, much more costly, would have had to have been put in in a few years.

Our basic increase in costs was in the Northeast Industrial District interceptor, which reflected from an increased capacity to serve the undeveloped area, and unforeseen underground conditions, wet excavation and sewer depth, the Northeast Industrial District pumping station for the same reason, and for the Blue River treatment plant and sludge facilities. Those two items alone increased the cost approximately five million dollars.

MR. JACK SMITH: Thank you.

CHAIRMAN STEIN: Are there any further comments or questions?

Mr. Mayes?

MR. MAYES: No questions.

CHAIRMAN STEIN: Mr. Clare?

MR. CLARE: No.

CHAIRMAN STEIN: Mr. Swyden, on the first page of your statement, you have "The City Council in office prior to April 1963". Does that mean your City Council came in in '63?

MR. SWYDEN: Yes.

CHAIRMAN STEIN: What is your term, four years?

MR. SWYDEN: Yes, sir.

CHAIRMAN STEIN: That means a new City Council will be in in April '67, right?

MR. SWYDEN: Right.

CHAIRMAN STEIN: Now, on page 3 of your statement, the last General Obligation Bond issue was May '67, that is after your term, is that correct?

MR. SWYDEN: Isn't it--

CHAIRMAN STEIN: Of this Council.

MR. SWYDEN: Yes.

MR. ROBINS: Right.

MR. SEBREE: That is correct.

MR. ROBINS: That is correct.

CHAIRMAN STEIN: Just for the record.

MR. SEBREE: What difference does that make, if any?

CHAIRMAN STEIN: Well, we have always heard that one Council cannot bind another one. We have run into that. I just raised that as a point here.

MR. SWYDEN: That is right.

CHAIRMAN STEIN: I am not saying it makes a difference.

MR. SEBREE: If I may say so, I should think it would not, for although the city could not be bound later on, certainly the schedule that we are proposing is a schedule that we are bound to on the city at this time and if subsequently they would renounce the schedule, I would assume your board would take some action.

CHAIRMAN STEIN: Well, no, there was a schedule here. No, this is true. But the question here is a question of responsibility. I am not saying this academically. We have had this with other councils, and right on this river basin. Again I don't think naming specific names helps, and I always like to name names when I can, but when we have asked other councils why they did this and why they didn't honor the previous commitment, the answer was that is why they voted those rascals out of office (laughter), because they didn't like it.

MR. SWYDEN: I can well appreciate that.

MR. HEADLEY: We even have that in Washington, I think. (Laughter)

MR. SWYDEN: That is true.

CHAIRMAN STEIN: That is true.

Did you want to say something?

MR. ROBINS: Well, I simply wanted to point out, Mr. Stein, that this line of reasoning, of course, is applicable to any number of things. This same line of reasoning would force me to say that there is no guarantee that any sewer service charge will be on at any date and that it will be this amount. It could be twice this amount, it could be half this amount, and there could be none whatsoever. I think this is recognized in relationship to this point as well as relationship to the issuance of bonds.

CHAIRMAN STEIN: I really do think this is a little different. If you have to get an action of a City Council, we do know in the history of sewer revenue charges, the GOB's, that once those are undertaken it is not very easy to get those off, and I just raise this as a point here for consideration. I don't say this is an essential thing. I know you space this out in a way that you have done this for what presumably you consider sound financial reasons. However, that last move is going to have to be ratified by someone after you. I am not saying they won't honor this, but it won't be you.

I have one other question, and this may be a pertinent one and I would hope we could get comment on this from you if we can, and I just throw this out. Obviously, any group like this doesn't come in here like a jury. I believe we are impartial, but we have information beforehand on this, and in order to call this we had to get information. I have read in newspaper reports, and so forth and so on, that the Mayor, the City Manager, and the head of the Pollution Control Department recommended different financing which would have permitted earlier completion, perhaps. Or would you care to comment on why the City Council rejected that view and came up with this one?

MR. SWYDEN: Yes, sir.

At the time when we took office, there were some serious financial responsibilities that we had to face in setting up the program for financing the city. At the time this Council decided to go to the public for an earnings tax. In our sincereness to the public, a good number of the Council, in fact a majority of them, went on record for not increasing any future taxes. There came the decision whether or not a sewer service charge was a tax. We considered this. But in relation to the public, they felt that this was an increase.

We felt that our earnings tax had brought us a sufficient amount of money that we can take another road and give them the service through the bonding program. We felt there was a moral obligation upon this Council to adhere to that promise. Later on we have experienced a number of bond vote issues in which we were not too successful, and in going to the last bond program we again reiterated to the public our sincerity about not raising any cost to the public.

It is the feeling of a good number of us that we owed this obligation, and with that in mind we found that this was a soung program for us to go and keep a moral commitment to them.

MR. HEADLEY: Well, Mr. Stein.

CHAIRMAN STEIN: Yes, go ahead.

MR. HEADLEY: May I make a statement? I think it bears some explanation. The problem goes directly to what Councilman Swyden is talking about and it goes deeper than that. This again gets back to the local situation, which I know you want to be aware of and you want to understand what is going on out here, say, in Kansas City. Every city has its own problems. I mean we just don't live in a water pollution world only. We are trying to deal with a lot of problems with our city government.

We are working right now with the President's program on anti-poverty and trying to set that up and using tax money which we have been making a contribution for.

We are also working and concerning ourselves very much with mass transit problems here in this community and trying to find ways of financing to move ahead in that very important field.

The highway program has been alluded to by Councilman Robins and that is very important.

We are spending tax money, and I won't go through the long list but I am trying to relate this, for fire protection, police protection, and trying to administer our city. We came into office and we were sadly under-financed. We just had been scrimping along and we had tremendous problems.

The first thing this Council did was to get out and work for an earnings tax on this community, and we had to go down and convince the State Legislature that they should give us the power to permit us to submit this issue to the vote of the people and we did that and they agreed and then we had a campaign in December of 1963 and we worked hard and we were able to convince the voters in this community that they should vote to impose an earnings tax upon themselves to the extent of one-half of one percent. They have done that and that is now proving to bring in some eight and a half million dollars a year to this city.

That wasn't the end of our problems. And I might say, though, in connection with that, recognizing that we needed over-all financing to keep this city going and that we had tremendous problems, we are growing and our area is 316 square miles, we made commitments in that campaign in order to show the people and get them to vote. And I might say, when you are in a campaign and asking people to vote for a tax on themselves--and how very little opportunity any of us get to vote directly at the polls whether we should increase taxes or not--we felt very strongly, and this was suggested by the populous, that we were going to have to tell them that if they voted for this earnings tax that we wouldn't increase the earnings tax while we were in office. In other words, it would remain at one-half of one percent.

We also told them that we would not impose any other form of tax on them while we were in office. And many on this Council, including the Mayor, made direct statements that we would make every effort to hold the line and use the money that they gave us in that campaign and try and put it to its best uses and stay within this budget for our term of office.

Now, this is part of this local feeling that has generated. I can't really put it adequately in words to show you the feeling and the sentiment. And the people have remembered that in that campaign. Now, this went to all city finances.

We have had about four elections since that on bond programs. Some of our bond issues we have put up have failed, we have resubmitted them. The most recent has just been a few months ago when the voters of this community approved a 35 million dollar bond issue, approximately, I think it was a little over 30 million dollars. They had approved at a prior election some of the issues that we had submitted and we didn't have to put them all up again, because some had been passed. As a part of that campaign we again stated--and this becomes very important when you are thinking in terms politically when you have to get people to approve things--as a part of that campaign we said we would not increase the real property tax levy, the five mills that we have which takes care of debt service in this community. We said we would stay within that framework if they would pass the bonds and give us this authority to do things in the field of trafficways and parkways and other programs.

That is the whole picture, very briefly, of what this Council had and what it was working with, and we have had this very real problem of saying, well, now, we have this money coming in to our general fund, the earnings tax is proving very good, it is bringing in more money than we anticipated. We thought it was going to be about six to six and a half million dollars and we feel it will bring in two million dollars more than that.

This same problem came up with the water department, whether or not to raise the water charges. We found ways of financing to put money into the water department to prevent an increase in water rates. We now believe that we have a very reasonable plan in view of what we have gone through in trying to get this community within two years to accelerate its progress in all fields and make up for what we think was perhaps lacking to a considerable extent for a number of years.

We aren't going to propose here to go through item by item of all the things we have done in other fields. We just want to let you know that we do have problems with parks and police and fire and all that, and that then water abatement is part of or one facet of the problems of the community.

This is part of the reason, now, in answer to the question you asked of why this, Mr. Stein.

CHAIRMAN STEIN: Right. I don't want to cut you off, but I think I understand what you and Mr. Swyden are saying in considerable part. If I don't, before we go on, and we want to hear you, let's get this corrected.

The proposal put out by the others, that is the Mayor, the City Manager and the head of the Pollution Control Department, was not an unreasonable proposal, but you did have a commitment to the voters when you came in not to put additional levies on them.

And by the way, I should point out here that at least from the Federal government's point of view, it is no business of ours how you raise the money. If you get this philanthropist and he gives it to you, we will be delighted. The question is, we are interested in the works being in at a certain time.

But I am just trying to understand this; I am not trying to get into your local financing. We have no jurisdiction there and we are going to keep out scrupulously. All we want to be sure of is that financing is arranged.

But there is a point I really don't understand here, Mr. Headley. I recognize that you have to compete with parks, fire department, schools, libraries, everything else, for the tax dollar. It also seems to be that, generally speaking, municipal financing gives an opportunity to put this on revenue bond financing. Why do you want to commit some of your GOB or as much of your GOB base to this kind of project when you can use this for your other fields?

MR. ROBINS: It is very simple, Mr. Stein. It is very simple. I think you can see it very readily when I give you these figures.

This City Council went into office on a budget that in its first year was some 52 million dollars. Through the means that Mr. Headley has just told you about, we now are going to go into a new year on May 1 having the availability of 16 more million dollars voted by the people upon themselves.

The taxpayer in the community says, now, wait a minute. Do you want to tax us again? Do you want to raise this sewer service charge? You have already got 16 million more than when you went into office.

See what I mean?

CHAIRMAN STEIN: I understand your point of view very well.

MR. ROBINS: Very simple.

CHAIRMAN STEIN: The point I think again--by the way, I appreciate that. The point is, of course, what you can do, and I say theoretically. There can be a sewer service charge and the other things picked up.

MR. SWYDEN: We are all aware of that.

MR. HILLELSON: Mr. Stein, just one moment here, I would like to say one word here, that this resolution that the Council adopted for not increasing taxes was unanimously passed by the entire Council, 13 members, including the Mayor.

CHAIRMAN STEIN: I understand that. I understand that, Mr. Hillelson.

Again I just want to state this here, I can't keep repeating this too often, that it is no Federal concern how you do this or what you consider a tax. Evidently some of the Council members didn't think this was a tax within the meaning of that term. Whether you think they are right or not is not relevant from our point of view, whether this was the case.

Let me indicate again, and I don't know how the states feel about this, the only thing that we would be interested in is when the financing was arranged and when the plant goes in. What my reaction is as a member of a local community if I were a member of it is not very relevant in a case of this kind.

MR. SEBREE: I can't help but feel that at the time we made the pledge that we have talked about we had the best minds available telling us we didn't have to worry about sewer pollution contol. I think this is an important point. This isn't a commitment we made to the public without some idea and say, well, you know, we don't care about the pollution abatement program. We thought we had this one in control.

CHAIRMAN STEIN: Mr. Sebree, let me ask this.

MR. SEBREE: I think that is important to you.

CHAIRMAN STEIN: I think that is vital. And by the way, this is a key point. Back at the ranch in Washington I thought Kansas City was under control too. I never did think you had a problem. The point is this, that we are out here because we recognize that it wasn't going along quite as we expected. This is why we are here talking to each other.

I was as shocked as anyone could be to find that there was even a cloud or the vestige of a problem in Kansas City. We had been pointing to Kansas City as one of the star and prize operations throughout the country and throughout the world. As a matter of fact, I still think it is. I think this is just a technical problem we are working through.

But this is precisely why we are here. We had the same view you had. I couldn't agree with you more.

MR. SEBREE: I want to emphasize it, because it wasn't the intention of this Council to say we didn't want to pursue the pollution control. Frankly, we thought we had it under control and we made the promises based upon our understanding at the time. We now find that what we thought did not turn out to be true, so now we are in the position is what we are asking now unreasonable.

CHAIRMAN STEIN: Yes.

MR. SEBREE: And I think this is the question. And I can only say this, when you talked about '53, I happen to remember that about a year or two thereafter we got into the Federal interstate program on highways, and I think you will agree that although pollution control is important, the Federal interstate program is important because it saves lives when it is open. And I happened to think here how much further along this city is in its pollution control program than the Federal program on interstate highways is along, although they roughly started with a year or two of the same time. And we will certainly be through far above 1972.

Now, both programs are important, but the question is the reasonableness of how fast they can be completed. And it is only my statement to you, and we were sorry, if we had known it was going to happen back there, we might have changed what we told the public, but we did tell them that, and we felt confident at that time just like you have said, pollution abatement is under control, we don't need to worry about that. Now we find we do need to worry about it.

We have come up with a solution, we submit to you it is reasonable and we would like to have your blessing.

CHAIRMAN STEIN: Mr. Sebree, I think you have put this question and your finger right on the crux of this. There is no doubt about it. I don't doubt that you have made your judgment and the City Council has made its judgment on the basis of this being under control, because we had the same judgment.

I ask you again, and here again we have to talk and understand each other's views, the problem I have had in the Missouri River, I think the states have had, is not only have we made this judgment now. I made this back in 1958 when we had the conference, and I didn't think we would have to be back here for a hearing. I think both Hopkinses who we had working with us were here and we thought this was under control then.

But we had to reappraise this and go ahead. When we got through at the hearing, and I say this to you in all fairness, I know you have a point of view, I believed when I read this that all the contracts would be let by '63. I think any fair reading of this that we have had, the recommendations of the hearing board and the material Secretary Flemming sent to you indicates that. Neither you nor Kansas City, Kansas, have had this by '63. We have had to readjust again.

The question here is, every time we have to make a readjustment, what I am suggesting--well, I don't know how many times you make the readjustment, but what I am saying here is we shouldn't overlook the progress, because what we are having here now is a relatively--not only relatively--a very, very narrow issue on this thing. I don't think there are arguments the way there used to be here that the river is polluted or not polluted, there are not arguments whether you should have primary, secondary treatment or where the plants should be or what the financing should be. That has all been resolved.

What we are doing is we are getting down to kind of scrabbling for inches at the end. And I think this is just part of the American democratic process. I know you will realize with us that the states will have their problems and the Federal people and you will.

I don't know how the states feel about this financing. They may have stronger views than the Federal people do. But any recommendation or any views that this group up here will come out with or that I will express will be a composite of what the state agencies and Mr. Clare think. My function really is to be a chairman and try to get the issues lined up.

By the way, I really do think you people have done an excellent job in presenting the case and presenting your issues in a very clear fashion.

Are there any other comments or questions?

MR. JACK SMITH: Do we have any more comments from Kansas City?

If not, I would like to call on Mr. Shinn, City Attorney of Gladstone.

CHAIRMAN STEIN: Wait. Do you have any more?

MR. SWYDEN: I am asking.

No.

MR. JACK SMITH: Is Kansas City all through?

MR. SWYDEN: Yes, sir.

MR. JACK SMITH: Mr. Shinn, Gladstone City Attorney.

(Members of the City Council of Kansas City, Missouri, left for another meeting.)

MR. SHINN: Mr. Stein, Mr. Smith, ladies and gentlemen.

The City of Gladstone, as you can see from this map, is completely surrounded by the City of Kansas City. I think that perhaps to some extent what the City of Gladstone has to say here today is relevant in terms not so much of the 19,000 people that live in the city, it was 14,000 in 1960, but in terms of the other municipalities in the Kansas City area who may not have done what we have already done, that is to enter into a cooperative agreement with the City of Kansas City, Missouri, to treat our sewage.

In August of 1964 Gladstone entered into a binding contract with the City of Kansas City by which Gladstone would discharge at various points on its city limits raw sewage into the lines and mains of the City of Kansas City, Missouri. This would then be treated along with the sewage that citizens of Kansas City, Missouri, were putting into their own system. This is the type of system that was recommended to us by the Missouri Water Pollution Board, it is the type of system that Kansas City recommended to us, because even if we tried to treat our own sewage within the confines of our city, there would be, we were told, some effluent that would still be in the various creeks and watersheds.

We were disturbed to hear and to read that there might be some delay with regard to the timetable. We were disturbed for several reasons, but primarily we were disturbed because if the timetable for anti-pollution is changed, it will affect our system because we cannot hook into the Kansas City system if the lines aren't there. We have already voted and sold approximately three million dollars worth of sewer bonds. We have also voted some water bonds, but they are not directly involved here.

This money needs to be put in the ground, and if we are going to have delay we are going to have the problem of having our money not being used. We are going to have to explain to our citizens why it is that we told them that the various mains and lines in Kansas City would be ready when, as it turns out, they won't be ready when our intersystem is completed to be hooked on.

So the City of Gladstone does appear here today. We sympathize with the problems which confront Kansas City. Our consulting engineer, Mr. Glen Gray, is here from Larkin & Associates. Our Mayor, Mr. H. R. Wurst, has come. We do wish to demonstrate our interest in this matter. We don't wish to fall out with Kansas City. Over the years we have had some little differences.

I think that this cooperative agreement, which as I say they urged us to enter into and the Water Pollution Board urged us to enter into, is a good example for other communities. We would be very upset and would be hard put to know what to say to our citizens if it turned out that the timetable that we gave them based on the timetable that Kansas City was given had to be changed.

Thank you.

CHAIRMAN STEIN: Mr. Shinn, that is a very illuminating statement and I do think--we will give you an opportunity in a moment from Kansas City--I do think this indicates the interrelationship of this kind of operation and planning. Not only do you have an obligation to your own people but to the upstream, the downstream and the other communities around you.

I would say again, and I recognize your point of view, and this I know on the basis of experience, there is no more awkward situation for a municipal official than to have a built sewage treatment plant, just look up and down your basin, when you are not using it or a sewer in the ground that people have spent millions of dollars to build and nothing is going through that sewer. And I know this from repeated experiences throughout the country. I think for anyone to proceed in good faith, as you people have proceeded, we really need an explanation.

Mr. Hopkins, would you care to comment?

MR. GLEN HOPKINS: I have to make one comment to Mr. Shinn, in fairness to my council who passed the ordinance approving the intermunicipal contract with Gladstone. This agreement provided that we receive sewage from Gladstone at seven points. Two of those points are now available for use by Gladstone. The third one will become available this calendar year, which is in accordance with their needs. The other four points are in the Line Creek watershed and the contract between the two cities qualified that the schedule for those four lines were contingent upon finances of Kansas City.

CHAIRMAN STEIN: Do you have any comment on that?

MR. SHINN: Yes, that is perfectly right as far as the availability of funds, and, of course, again we were relying upon certain timetables that were given to furnish the availability of funds. But what Mr. Hopkins says is absolutely correct. The entire city, it appears, would not be affected.

I did check with our consulting engineer, though, and we would have about 30 percent or perhaps a little more of our geographical area and population not served, and it will be even harder to explain to them why they are not being served and the other two-thirds of town are, just from our point of view.

CHAIRMAN STEIN: Oh, there is someone from the Council here. I am glad of that.

MR. SEBREE: Yes.

CHAIRMAN STEIN: As I understand the situation, Mr. Hopkins, and again trying to resolve this, these people relied, as the people of Kansas City relied, on certain assumptions to go ahead. What you are pointing out is the bare legal requirements of a contract, and I appreciate that. We can point to the bare legal requirements of the Secretary's directive, which I think you are in violation of, we can point out, as I understood it, that a perfectly legal way was proposed and rejected by the Council to raise the money. As I understand this, the issue here in Kansas City is a commitment that the Council--and I can understand it--had to their voters, a political commitment, a moral commitment, whatever-have-you, not to raise the taxes.

The point is, in Gladstone I think these people also have this kind of commitment to their people. I don't think we can work this both ways. We can't rely on moral or political commitments in Kansas City and then when we have to deal with Gladstone deal with the bare terms of an agreement between two municipalities. I don't know, is there a comment on that?

MR. SEBREE: Well, that is the most astounding statement I have ever heard.

CHAIRMAN STEIN: Why?

MR. SEBREE: Well, because I don't-- You mean you are going to take a contract between Gladstone and Kansas City that provides that the time will be left up to the future financing and use that as a reason to have some bearing on the Kansas City case?

CHAIRMAN STEIN: No.

MR. SEBREE: I mean that is astounding to me.

CHAIRMAN STEIN: Why, I think, sir, you have commitments to up- and downstream water users. I understood your position and the position I think of your Council very, very well. As we pointed out, we understood this. In going through this, we have not dealt with the bare terms of being in agreement with this, because both Kansas City, Kansas, and Kansas City, Missouri, are not only in technical violation, but in substantial violation. I recognize this point.

What I am saying is this. We have to take into consideration the same way as you have your obligation to your voters and the people in Kansas City the municipal officials' relationship with the voters in Gladstone, just the same, not more. In other words, we can't answer Gladstone by the bare requirements of a document, of a legal document, although this is what we are dealing with here, when we don't do that for Kansas City. Is that--

MR. SEBREE: My position on what you are saying is that neither one is before you gentlemen. I think your only issue is to decide whether what Kansas City has proposed is reasonable; that is, reasonable under the light of the entire Federal anti-pollution program. I think that is your only issue. What we told the voters would never have come in if it hadn't been that you all asked something about the Mayor and the City Manager. I don't think that is before you.

Mr. Shinn is my law partner, I know he is a good lawyer, and if the deal had been different he would have written the contract differently. (Laughter)

I do not understand how you could twist a contract that says specifically that you will be done at some future time when financing is available as some reason for the Federal government to take action under the anti-abatement program.

CHAIRMAN STEIN: Wait a minute. How have we twisted the contract? The point is, what we have said here, you have asked, as I understand it, for an extension of the time as originally proposed, and this is right in the statement here, that the--

MR. SEBREE: For the final contract to be awarded in May of '67.

CHAIRMAN STEIN: "Our over-all plan forces us to delay completion at least one year."

MR. SEBREE: Yes.

CHAIRMAN STEIN: All right. You have asked for an extension of that time and the explanation of that I think I fully understood.

MR. SEBREE: All right.

CHAIRMAN STEIN: Now, what Mr. Shinn is saying is that if this is delayed a year, he is going to have a problem facing the people in his community. That I think I fully understand.

MR. SEBREE: But if they wanted it different, they would have insisted on a different contract. I think you have to consider Gladstone and Raytown and St. Louis and Omaha and everything else in this. But I don't believe you ought to use a contract between the cities that specifically leaves open the date as some reason. I don't think that has any bearing.

CHAIRMAN STEIN: No, no, wait a minute. Let's go back over the point. I did not raise the point of the contract. What I am saying is, and I fully agree with you, that we have to consider Omaha, Kansas City, up- and down- stream communities.

What you have said before, and I fully agree with you, you proceeded on certain assumptions. When you made this judgment on financing you thought this was under way.

Again Mr. Shinn proceeded on certain assumptions. When you made this judgment on financing you thought this was under way.

Again Mr. Shinn proceeded on certain assumptions. When he moved and was dealing with an equitable situation here, when he or the city officials of Gladstone made their assumptions and moved, they had certain assumptions that this time schedule which you assumed was going to be met was going to be adhered to. Now, in the absence of that they are going to have a problem, he said, in explaining it to his voters. I think this is as real to him as your problem in going back to the voters of Kansas City and talking about an increased rate.

I did not raise the question of a contract between the two cities. I agree with you, the specific terms of the contract are not relevant, particularly in terms of the equities of the situation here.

MR. SEBREE: So you can understand what position I was in, I don't want to argue with you on this thing, I think the people of this country, the people of this area, the people of Kansas City, the people of Gladstone all have an interest in seeing this pollution abatement brought to a conclusion in a reasonable length of time. I think anyone that operates in this area can understand that the Federal government would take this position, that it should be done in a reasonable length of time.

Now, beyond that I don't believe the people of Gladstone or the people of Raytown or the people of Kansas City or anyone else has anything to say, and I think if they wanted a different understanding they would have to put it in the contract. Now, that is my assumption.

If they are going to rely on the Federal government to determine their contracts, then I think you have to put what they have a right to expect, namely the Federal government will take a reasonable position on the completion of Kansas City's sewer abatement facilities, and beyond that I don't believe they have any right to rely on anything else unless they contract for it.

CHAIRMAN STEIN: By the way, I fully agree with you. But if we look at the record here, on this reasonable length of time, we had every right to expect that the contracts would be all let by 1963 and the reasonable length of time would be over by now.

MR. SEBREE: Was the contract between Kansas City and Gladstone before or after January 1 of 1963?

MR. GLEN HOPKINS: It was after.

MR. SEBREE: Well, then, at that time they had reason to know that that deadline would not be met.

CHAIRMAN STEIN: Well, they had reason to know, but you are talking in terms of contracts or documents with us. We had every reason to believe that this work would be going apace. As a matter of fact, I would not doubt that since this was after 1963, given the facts at that time, we have been in touch with the state agencies, we believed that this would all be completed by the end of 1966, as Mr. Smith had indicated. We get reports every six months on this, and this is the date I thought this would be completed.

Now, you take 1963 and you perhaps go to 1965. Okay, 1966 is another year. We talk in terms of reason on a big project like this. I don't think that the Federal government would have raised an issue here. But the question is, I think, the people in Gladstone had the same right to rely on that as anyone else.

Well, do you have any further comment?

MR. SHINN: Nothing further.

Mr. Chairman, I might say, I think Mr. Sebree and I are both appearing here as citizens today. (Laughter)

CHAIRMAN STEIN: I would hope I am not appearing as an alien. (Laughter)

Mr. Smith.

MR. JACK SMITH: Is there anyone else from any Missouri municipality or Missouri industry that desires to make a statement at this time? We will be happy to recognize you. Anyone from North Kansas City or the Mayor of Gladstone or anyone else?

No one?

That concludes the Missouri statement.

CHAIRMAN STEIN: All right. Are there any other statements? Does anyone else other than people from Missouri or is there anyone else who wants to make a comment?

If not, we will recess until 3 o'clock, when we will come back and we will hope to have an announcement. Again I want to thank you all for a very clear presentation. Thank you very much.

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(WHEREUPON, at 12:30 o'clock p.m. the meeting was recessed until 3 o'clock p.m.)

AFTERNOON SESSION

CHAIRMAN STEIN: May we reconvene.

First we would like to call on Mr. Clare.

MR. CLARE: There are several Federal agencies who were invited to attend this meeting today and several have sent representatives, and I would like to name these men and ask them if they have any comments or questions at this time.

Representing the Department of the Interior from the Bureau of Reclamation from McCook, Nebraska, is Mr. James Ingles. Will you stand up, please.

MR. INGLES: Nothing.

CHAIRMAN STEIN: We are glad you are here, sir.

MR. CLARE: From the National Park Service regional office in Omaha is Mr. Charles J. Novak. Will you stand up, please.

MR. NOVAK: I have no comment pertinent to your problem.

CHAIRMAN STEIN: We appreciate your being here.

MR. CLARE: Representing the Corps of Engineers, both the division office at Omaha and the district office here in Kansas City, is Mr. William Northrop. Mr. Northrop?

MR. NORTHROP: We have no comments at this time.

MR. CLARE: All right, sir. Thank you.

Representing the U.S. Coast Guard office in St. Louis is Warrant Officer Don Luedke. Is he still here?

I believe that is all, Mr. Chairman.

CHAIRMAN STEIN: Thank you.

The representatives of Kansas, Missouri and the Federal Government have carefully considered this problem, have listened to all the statements this morning, and have had an opportunity to think about the problem individually and collectively and discuss it during the recess period. I am happy to report that the Federal and State Pollution Control Agencies have in this area continued their policy of unanimity. There is absolute unanimity among the Federal and State Water Pollution Control Agencies, no difference of opinion whatsoever. Their conclusions are as follows:

That all municipal and industrial wastes originating in the

Kansas Citys area, the Kansas and the Missouri Rivers and the tributaries thereof, be collected adequately through the municipal systems in accordance with the requirements of the State agencies, and that all these works be completed and in operation by January 1, 1967.

That by January 1, 1966, all major contracts be let so that the work can be completed by January 1, 1967. If there are any minor contracts which have to be let or can be let after January 1, 1966, a justification for those will have to be forthcoming indicating that the completed work will take place by January 1, 1967.

That within 60 days from now the municipalities involved will have to make financial arrangements, including necessary ordinances and other action, to insure that they are authorized to raise the money and are able to finance these projects. And beginning May 15, 1965, and on a monthly basis thereafter, the municipalities are to prepare progress reports, which will be coordinated by the States with Mr. Herbert C. Clare and forwarded by him to the Secretary of Health, Education and Welfare, indicating the progress that is being made toward compliance and a statement as to whether the schedule is being met and the possibility of meeting the schedule.

If it becomes evident during the 60 days or after receipt of any of these progress reports that this schedule is not being met, the States will take action to recommend that VA and FHA insurance of loans be stopped and that no further permits will be given for sewer extensions.

If, after 60 days or thereafter on receipt of a progress report, it becomes apparent that adequate progress is not being made toward completion on schedule, the two States and the Federal representatives will recommend to the Secretary of Health, Education and Welfare that he take appropriate legal action to insure compliance.

Are there any comments or modifications on that?

MR. JACK SMITH: No.

MR. CLARE: No.

MR. MAYES: No.

CHAIRMAN STEIN: If not, that concludes the statements of the representatives of the State and Federal Water Pollution Control Agencies. I would like to thank you all for coming. Thank you very much.

We stand adjourned.

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(WHEREUPON, at 3:15 o'clock p.m. the meeting was asjourned.)

REPORTER'S CERTIFICATE

I, VIRGINIA H. RANKIN, Certified Shorthand Reporter, do hereby certify that the proceedings of Progress Evaluation Meeting on the matter of Pollution of the Interstate Waters of the Missouri River in the Kansas Citys Metropolitan Area, at the time and place set forth in the caption page hereof, were reported in shorthand by me, afterwards transcribed, and that the foregoing pages numbered 1 to 118, inclusive, contain a true transcript of said shorthand notes.

Certified Shorthand Reporter

Summary of Conference

POLLUTION OF INTERSTATE WATERS
of the
MISSOURI RIVER--KANSAS CITIES METROPOLITAN AREA--(KANSAS CITY, KANSAS, KANSAS CITY, MISSOURI, AND NORTH KANSAS CITY, MISSOURI)

At the Kansas Cities Metropolitan Area - Kansas City, Kansas, Kansas City, Missouri, and North Kansas City, Missouri - the Missouri River forms a State boundary between Kansas and Missouri. The principal sources of pollution from these municipalities are untreated or inadequately treated sewage and industrial wastes which are discharged into the Missouri River or into the Kansas River just above its confluence with the Missouri River.

On the basis of reports, surveys, and studies, the Surgeon General of the Public Health Service, having reason to believe that pollution of the Missouri River caused by discharges of untreated or inadequately treated sewage and industrial wastes from the cities of Kansas City, Kansas, Kansas City, Missouri, and North Kansas City, Missouri, causes pollution subject to abatement under the Federal Water Pollution Control Act (P.L. 660, 84th Congress), called a conference on the matter of pollution of the interstate waters of the Missouri River - Kansas Cities Metropolitan Area (Kansas-Missouri). The conference was held on December 3, 1957 in the Council Chambers, City Hall, Kansas City, Missouri.

The following conferees representing the State water pollution control agencies of Kansas and Missouri and the Public Health Service attended the conference:

Albert W. Happy	Missouri Division of Health
Glen J. Hopkins	U. S. Public Health Service Kansas City, Missouri
Dwight F. Metzler	Kansas State Board of Health
Murray Stein, Chairman	U. S. Public Health Service Washington, D. C.

Also participating in the conference were the following:

P. G. Barnickol	Missouri Conservation Commission
H. Roe Bartle, Mayor	Kansas City, Missouri
Leonard B. Dworsky	U. S. Public Health Service Kansas City, Missouri
Henry M. Hardwicke, M.D.	Missouri Division of Health

Herbert O. Hartung	St. Louis County Water Company
Carl Hodgkinson	Kansas State Board of Health
J. H. Johnsen	Standard Oil Sugar Creek, Missouri
James Kelly	Administrative Assistant to Mayor Bartle Kansas City, Missouri
Colonel L. E. Laurion	U. S. Army Engineer District Kansas City, Missouri
Martin E. McMahom	Phillips Petroleum Company Kansas City, Kansas
Reed McKinley	Director of Public Works Kansas City, Missouri
Leo J. Moroney	Representing Mayor Paul Mitchum Kansas City, Kansas
R. D. Scharz, Mayor	North Kansas City, Missouri
Clifford Sharp	Haskins, Riddle & Sharp Consulting Engineers Kansas City, Missouri
Jack K. Smith	Missouri Division of Health

The Chairman of the Conference pointed out that:

1. Under the Federal Water Pollution Control Act (P.L. 660, 84th Congress) pollution of interstate waters which endangers the health or welfare of persons in a State other than the one in which the discharge originates is subject to abatement under the procedure described in section 8 of the Federal Act.

2. The first step of this procedure is the calling of a conference.

3. The purpose of the conference is to bring the States and the Public Health Service together to lay a basis for future action by all parties concerned and to give the States and localities an opportunity to take any remedial action which may be indicated under State and local law.

Mr. Glen J. Hopkins, Regional Engineer, and Mr. Leonard B. Dworsky, Assistant Regional Engineer, Public Health Service, Region VI, presented a general statement on the pollution of the interstate waters of the Missouri River - Kansas Cities Area.

Mr. Albert W. Happy, Chief Engineer, Missouri Division of Health, and Mr. Jack K. Smith, Chief, Water Pollution Control, Missouri Division of Health, presented a statement concerning the sources of pollution in Missouri, the nature of the wastes, the effects of pollution, and the status of remedial action.

Mr. Dwight F. Metzler, Chief Engineer, Kansas State Board of Health, and Mr. Carl Hodgkinson, Chief of Water Pollution Control Section, Kansas State Board of Health, presented a statement concerning the sources of pollution in Kansas, the nature of the wastes, the effects of pollution, and the status of remedial action.

Colonel L. E. Laurion, District Engineer, U. S. Army Engineer District, Kansas City, Missouri, presented a statement on the effect of pollution on the use of the Missouri River for navigation.

Mr. P. G. Barnickol, Missouri Conservation Commission, presented a statement on the effect of pollution on fish and wildlife in the Missouri River.

Mr. Herbert O. Hartung, Sanitary Engineer and Superintendent of Production, St. Louis County Water Company, presented a statement on the effect of pollution on sources of public water supply of the Missouri River.

Mayor H. Roe Bartle, Mr. Reed McKinley, Director of Public Works, and Mr. James Kelly, Administrative Assistant to the Mayor (Kansas City, Missouri), reported on action proposed to be taken by Kansas City, Missouri, to install adequate waste treatment facilities.

Mr. R. D. Scharz, Mayor, North Kansas City, Missouri, reported on action proposed to be taken by the City of North Kansas City, Missouri, to install adequate waste treatment facilities.

Mr. Leo J. Moroney, representing Mayor Paul Mitchum, Kansas City, Kansas, reported on action proposed to be taken by the City of Kansas City, Kansas, to install adequate waste treatment facilities.

Mr. J. H. Johnsen, Assistant Plant Manager, Standard Oil of Indiana, Sugar Creek, Missouri, reported on action proposed to be taken by the Standard Oil Company to install adequate waste treatment facilities.

Mr. Martin E. McMahom, Phillips Petroleum Company, Kansas City, Kansas, reported on action proposed to be taken by the Phillips Petroleum Company to install adequate waste treatment facilities.

In the light of the conference discussions, the conferees unanimously made the following conclusions and recommendations:

1. That pollution of interstate waters subject to abatement under the Federal Water Pollution Control Act is occurring in the Missouri River - Kansas Cities Area. The major sources of such pollution are untreated and inadequately treated sewage and industrial wastes from Kansas City,

Kansas, Kansas City, Missouri, and North Kansas City, Missouri, and local industrial establishments finding their way into the waters of the Missouri River (an interstate water as defined by the Federal Act) and tributary streams in the Kansas Cities metropolitan area.

2. That the effects of this pollution are (1) deterioration of water quality for public water supply at Lexington, Boonville, Jefferson City, Glasgow, St. Charles, St. Louis City, and St. Louis County, Missouri, with associated enhancement of possible disease transmission; (2) increased concentrations of coliform and other organisms associated with human diseases which constitute a health hazard to commercial and recreational users of the river; (3) deterioration of water quality so as to prevent the full use of the river as a commercial fishery; (4) deterioration of water quality so as to prevent the use of the river for sport fishing; (5) impairment of water quality so as to interfere with navigation; (6) impairment of water quality so as to interfere with actual and potential use of the river for many industrial uses; (7) interference with water quality so as to degrade the Missouri River area below Kansas City as a wildfowl habitat; (8) deterioration of water quality to the extent that severe sight and odor nuisances have been created resulting in serious impairment of the river as a recreational area specifically preventing the use of various river front sites for recreational areas and parks.

3. That the measures presently used for disposal of sewage and industrial wastes from Kansas City, Kansas, Kansas City, Missouri, North Kansas City, Missouri, and associated industries are not adequate to secure abatement of pollution of the Missouri River.

4. That the delays encountered in the abatement of such pollution are due to the lack of installation of adequate waste treatment facilities or other methods for reduction of pollution by the municipalities and industries concerned;

5. That Kansas City, Kansas, Kansas City, Missouri, North Kansas City, Missouri, and associated industries should provide adequate treatment for wastes prior to their discharge;

6. That industries in the Kansas Cities Metropolitan Area should either discharge their wastes to a municipal waste collection and treatment system or provide adequate treatment for their wastes.

7. That basic engineering and feasibility reports for adequate treatment facilities be completed by Kansas City, Missouri, not later than March 1, 1958; cognizance is taken of the fact that Kansas City, Kansas and North Kansas City, Missouri, already have done this.

8. That acceptance and revision of basic engineering and feasibility reports for adequate waste treatment facilities be completed by city officials of Kansas City, Missouri, and North Kansas City, Missouri, not later than September 1, 1958; cognizance is taken of the fact that Kansas City, Kansas, already has done this.

9. That the cities of Kansas City, Missouri, North Kansas

City, Missouri, and Kansas City, Kansas, complete all necessary financial arrangements not later than September 1, 1959. The conferees strongly urge, however, that the Mayors and other city officials of these three cities explore the feasibility of putting the bond issue before the voters at an earlier date, preferably not later than January 1, 1959;

10. That the first construction contracts for these waste treatment facilities be let by Kansas City, Kansas, and Kansas City, Missouri, not later than January 1, 1960, by North Kansas City, Missouri, not later than June 1, 1960, with the understanding that the city officials of North Kansas City, Missouri, explore the feasibility of letting their first contract earlier so that it may coincide with the schedule of the other two cities;

11. That the balance of the construction contracts for these remedial works be let by Kansas City, Kansas, and Kansas City, Missouri, not later than March 1, 1960, and by North Kansas City, Missouri, not later than September 1, 1960, with the understanding that city officials of North Kansas City, Missouri, explore the feasibility of letting their contracts earlier so they will coincide with the schedule of the other two cities;

12. That adequate waste treatment facilities for Kansas City, Kansas, Kansas City, Missouri, and North Kansas City, Missouri, be completed and in operation by March 1, 1962, with the understanding that the complete separation of storm and sanitary sewage from Kansas City, Kansas, may not be effectuated until January 1, 1963;

13. That industry in the Kansas Cities Metropolitan Area either connect with a municipal waste disposal system or complete and put into operation adequate treatment works for disposal of domestic and industrial wastes not later than March 1, 1962, but that all efforts be made to secure earlier treatment.

14. That industry is to give the appropriate municipality ample notification before the municipality places the question of financing before its voters as to whether such industries are going to join the municipal waste disposal systems;

15. That the Kansas State Board of Health and the Missouri Division of Health will report to the other conferees periodically as to progress at six months intervals starting July 1, 1958.

The National Laboratories Corporation
1721 Baltimore Avenue
Kansas City, Missouri

Phillips Petroleum Company
2029 Fairfax Trafficway
Kansas City, Kansas

Proctor & Gamble Manufacturing Company
1900 Kansas Avenue
Kansas City, Kansas

Atchison, Topeka, and Santa Fe
Railroad Company
Fairfax Building
Kansas City, Missouri

Sinclair Refining Company
906 Grand Avenue
Kansas City, Missouri

Swift & Company
10 Berger Avenue
Kansas City, Kansas

Midwest Cold Storage &
Ice Corporation
1101 South 5th Street
Kansas City, Kansas

Buick, Oldsmobile, & Pontiac Assembly Plant
100 Kindleberger Road
Kansas City, Kansas

are hereby notified and directed to cease and desist from discharging, without proper, adequate and effective treatment, such sewage, industrial, and other wastes into said waters and to secure abatement of such pollution, by the completion and placing into operation of proper, adequate, and effective municipal and industrial sewage and waste collection, treatment and disposal facilities within a reasonable time after January 1, 1963.

I hereby find that compliance with the schedule contained in the Recommendations of such Hearing Board is necessary to constitute action reasonably calculated to secure abatement of such pollution within a reasonable time after January 1, 1963.

Dated: June 30, 1960

/s/ Arthur S. Flemming
Secretary

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON

In the Matter of the
POLLUTION OF THE INTERSTATE WATERS
Of The
MISSOURI RIVER AND CONNECTING OR TRIBUTARY WATERS IN
OR ADJACENT TO THE KANSAS CITIES METROPOLITAN AREA

NOTICE

There is attached hereto, and made a part hereof, the Findings, Conclusions, and Recommendations, dated June 17, 1960, of the Hearing Board, convened pursuant to the provisions of section 8 (e) of the Federal Water Pollution Control Act (33 U.S.C. 466g (e)), which held a public hearing in the matter of pollution of the interstate waters of the Missouri River and other interstate waters connecting therewith or tributary thereto in or adjacent to the Metropolitan area of Kansas City, Kansas; Kansas City, Missouri; North Kansas City, Missouri.

The Board found that the cities of Kansas City, Kansas; Kansas City, Missouri; North Kansas City, Missouri; and the firms named below are discharging sewage, industrial, and other wastes causing or contributing to pollution of interstate waters which endangers the health or welfare of persons in a State other than that in which the discharges originate, by discharges into or reaching the Kansas River; Turkey Creek Sewer or the Missouri River.

In accordance with section 8 of the Federal Water Pollution Control Act, the City of Kansas City, Kansas; the City of Kansas City, Missouri; the City of North Kansas City, Missouri; Fairfax Drainage District of Kansas; Kaw Valley Drainage District of Kansas; and the following named industrial establishments:

Kansas City Stockyards Company
Livestock Exchange Building
1600 Genessee Street
Kansas City, Missouri

Bio-Laboratories, Inc.
50 North 2nd Street
Kansas City, Kansas

National Cylinder Gas Company
1614 State Avenue
Kansas City, Kansas

In the Matter of the

POLLUTION OF THE INTERSTATE WATERS
of the
MISSOURI RIVER AND CONNECTING OR TRIBUTARY WATERS IN OR ADJACENT TO THE KANSAS CITIES METROPOLITAN AREA

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF THE HEARING BOARD

The matter of the pollution of the interstate waters of the Missouri River and other interstate waters connecting therewith or tributary thereto in or adjacent to the Metropolitan Area of Kansas City, Kansas, and Kansas City, Missouri, came duly on for hearing at Kansas City, Missouri, on the 13th day of June, 1960 at 9:00 o'clock a.m., before the board hereinafter named, appointed therefor by the Secretary of Health, Education, and Welfare, pursuant to the call of the Secretary, dated May 17, 1960, under the provisions of the Federal Water Pollution Control Act and the regulations prescribed thereunder, and upon due notice of said hearing given, issued, and served as provided therein. Said hearing was continued on June 14, 15, 16 and 17, 1960, and was then concluded and adjourned. Said Board consisted of the following named persons:

Chester S. Wilson, Chairman
William C. Salome (representing the State of Kansas)
Freeman R. Johnson (representing the State of Missouri)
Sylvester E. Ridge (representing the United States Department of Commerce)
Blucher A. Poole
John S. Samson
Robert C. Ayers, Executive Secretary

The following appearances were entered:

The Surgeon General of the Public Health Service, United States Department of Health, Education, and Welfare, by Murray Stein, Chief, Interstate Enforcement, Water Supply and Pollution Control; Sidney Edelman, Public Health Division, Office of the General Counsel, Department of Health, Education, and Welfare; and Glen J. Hopkins, Regional Engineer, Public Health Service, Region VI;

Missouri Water Pollution Board, by Jack K. Smith, Executive Secretary;

Kansas State Board of Health, by Dwight F. Metzler, Director, Division of Sanitation;

City of Kansas City, Missouri, by Richard H. Koenigsdorf, City Counselor and Benjamin F. Powers, Assistant Counselor;

City of Kansas City, Kansas, by Paul F. Mitchum, Mayor, C. W. Brenneisen, Jr., City Attorney, Carl Hodgkinson, Consulting Engineer, and Truman Schlup, Consulting Engineer;

Fairfax Drainage District of Kansas by Clifford Sharp, Consulting Engineer, and B. Steenhaf;

Kaw Valley Drainage District of Kansas, by R. D. White, and Truman Schlup, Consulting Engineer;

Kansas City Stockyards Company, by Jay B. Dillingham, President;

Bio-Laboratories, Inc., by J. L. Kennedy and Dale Kennedy and by Ralph McKee;

National Cylinder Gas Company, by L. J. Roper, District Manager, R.H. Black, and Ludwig Zengeler, Vice-President;

National Laboratories Corporation, by M. F. Wallace, President;

Phillips Petroleum Company by Reed R. Parker, and Martin E. McMann, Engineering Department, Bartlesville, Oklahoma;

Procter & Gamble Manufacturing Company by Ralph C. Peterson, Chemical Engineer;

Atchison, Topeka, and Santa Fe Railroad Company by J. B. Reeves, Attorney, and C.H. Sandberg, Chief Engineer;

Sinclair Refining Company, by William N. Smith, Terminal Manager;

Swift & Company, by William B. Elson, Jr., Attorney and F. W. Sollo;

Midwest Cold Storage & Ice Corporation by W. Irving Moss, Jr., and John Murphy, Attorney;

General Motors Corporation, Buick, Oldsmobile, and Pontiac Assembly Division, by John Murphy, Attorney;

Corn Products Refining Company, by John R. Moberly, Attorney and H. B. Franey;

American Asphalt Roofing Company, by J. R. Humble, Plant Engineer and A. M. Eberle;

City of North Kansas City, Missouri, by Clifford Sharp, Consulting Engineer;

Chevrolet Assembly Plant, Chevrolet-Kansas Division of General Motors Corporation, by John Murphy, Attorney;

Fisher Body Division, Kansas City Plant, General Motors Corporation, by John Murphy, Attorney;

Schenley Distillers, Incorporated, by W. E. Heidler;

Bendix Aviation Corporation by R. R. Griner and Robert T. Foster;

Prier Brass Manufacturing Company, by Henry J. Hodes;

The Ruberoid Company, by A. M. Eberle, General Superintendent and J. R. Humble, Plant Engineer;

Chamber of Commerce, Kansas City, Missouri, by Herbert Wiggs;

Chamber of Commerce, Kansas City, Kansas, by Ralph Bates.

Now, based on the evidence presented at said hearing the Board makes the following findings, conclusions, and recommendations:

FINDINGS OF FACT

1. All the actions of the Surgeon General of the Public Health Service and the Secretary of Health, Education, and Welfare with respect to the matters involved in this proceeding, as prescribed by the Federal Water Pollution Control Act, were performed and completed prior to the holding of the hearing.

2. The Missouri River, between a point above and near Kansas City, Kansas, and a point below and near the mouth of the Kansas River, flows in a generally easterly direction, constituting a portion of the boundary between the States of Missouri and Kansas. From said last mentioned point said river continues to flow in a generally easterly direction through the State of Missouri to its junction with the Mississippi River. Turkey Creek, including that portion thereof which is now covered and used as a sewer together with the watercourse above and flowing into said covered portion, arises in the State of Kansas, flows in a generally northeasterly direction into the State of Missouri, and thence in a northwesterly and westerly direction into and through the State of Kansas to the junction of said creek with the Kansas River to which said creek is tributary. The Kansas River flows from above said junction in a generally northerly direction through the State of Kansas to the junction of said river with the Missouri River to which said Kansas River is tributary. All of said waters are interstate waters as defined by the Federal Water Pollution Control Act.

3. The City of Kansas City, Kansas, the Fairfax Drainage District of Kansas, the General Motors Corporation, Buick, Oldsmobile, and Pontiac Assembly Division, the Phillips Petroleum Company and each of them have been and now are discharging sewage and industrial and other wastes into said Missouri River, which discharges originate in the State of Kansas, have the effects hereinafter described, and cause and contribute to substantial pollution of the interstate waters of said river in and adjacent to the State of Missouri, which pollution endangers the health and welfare of persons in said state. The City of North Kansas City, Missouri has been and now is discharging sewage and industrial and other wastes into said Missouri River which discharges originate in the State of Missouri, have the effects hereinafter described, and cause and contribute to substantial pollution of the interstate waters of said river in and adjacent to the State of Kansas, which pollution endangers the health and welfare of persons in said State.

4. The City of Kansas City, Kansas, the Kaw Valley

Drainage District of Kansas, the Kansas City Stock Yards Company, the Bio-Laboratories, Inc., the National Cylinder Gas Company, the National Laboratories Corporation, the Procter and Gamble Manufacturing Company, the Atchison, Topeka, and Santa Fe Railroad Company, the Sinclair Refining Company, Swift and Company, and the Midwest Cold Storage and Ice Corporation and each of them have been and now are discharging sewage and industrial and other wastes into said Kansas River, thereafter reaching the Missouri River through said Kansas River, which discharges originate in the State of Kansas, have the effects hereinafter described, and cause and contribute to substantial pollution of the interstate waters of said Missouri River in and adjacent to the State of Missouri, which pollution endangers the health and welfare of persons in said state.

5. The City of Kansas City, Kansas, has been and now is discharging sewage and industrial and other wastes into said Turkey Creek, thereafter reaching said Missouri River through said creek and through said Kansas River, which discharge originates in the State of Kansas, has the effects hereinafter described, and causes and contributes to substantial pollution of the interstate waters of said Missouri River in and adjacent to the State of Missouri, which pollution endangers the health and welfare of persons in said state.

6. The Kansas City Stock Yards Company has been and now is discharging sewage and industrial and other wastes into said Kansas River, thereafter reaching the Missouri River through said Kansas River, which discharge originates in the State of Missouri, has the effects hereinafter described, and causes and contributes to substantial pollution of the interstate waters of said Kansas River and said Missouri River in and adjacent to the State of Kansas, which pollution endangers the health and welfare of persons in said state.

7. The City of Kansas City, Missouri, has been and now is discharging sewage and industrial and other wastes into said Turkey Creek, thereafter reaching the Kansas River through said Turkey Creek and the Missouri River through said Kansas River which discharge originates in the State of Missouri, has the effects hereinafter described, and causes substantial pollution of the waters of said Kansas River and said Missouri River in and adjacent to the State of Kansas, which pollution endangers the health and welfare of persons in said state.

8. The municipalities of Lexington, Glasgow, Boonville, Jefferson City, St. Charles, and St. Louis, and the St. Louis surburban area, respectively, or water utility companies serving the same, use for their public water supplies the waters of said section of the Missouri River below all the discharges aforesaid and are dependent thereon for such supplies. The pollution of said waters from the sources aforesaid causes deterioration of the quality of said waters for the purposes of said public water supplies, in that with said pollution there is continuous danger of introduction into said waters of disease-producing organisms, and in that there are continuously introduced into said waters with said pollution organic substances and compounds in solution or suspension which provide sustenance for and foster the growth and survival of disease-producing organisms in said waters and which impair the taste and odor thereof for drinking and other purposes. Said agencies provide for the treatment of water taken from said river for their public water supplies in order to render the same safe against the transmission of disease

and to minimize or eliminate the taste and odor effects aforesaid. By reason of said pollution the degree and cost of such treatment is substantially increased and the danger of transmission of disease in case of failure, breakdown, or negligent or faulty operation of treatment facilities is substantially increased as compared with what would be the case if said pollution were abated.

9. Said waters of the Missouri River hereinbefore described are used for navigation, boating, fishing, swimming, water skiing, and waterfowl hunting. Said waters of the Kansas River hereinbefore described are used for navigation, boating, fishing, and water skiing. In connection with such uses it is possible for persons engaged therein to contract water-borne diseases from the disease-producing organisms introduced with said pollution, and the use of said water for such purposes is consequently unsafe. All such uses and other beneficial public and private uses of said waters would be promoted and increased if the aforesaid pollution thereof were eliminated or reduced.

10. With the sewage, industrial, and other wastes aforesaid, there are discharged into the waters hereinbefore described human and animal excreta, grease, oil, feathers, and other floating, suspended or dissolved articles or substances of human, animal, or other origin. Some of said articles or substances are offensive and unsightly. Some of said substances cause offensive odors in and about said waters. Some of said substances accumulate on the shores of said waters, and on boats, structures, water intakes, working equipment, fishing gear, and other equipment placed or used in or on said waters, befouling the same and causing trouble in using the same and keeping the same clean. By reason of the facts aforesaid, the articles and substances discharged into said waters as aforesaid frequently cause nuisances therein. By reason of the pollution of said waters as aforesaid, fish of edible species inhabiting the same are sometime rendered unpalatable. By reason of the pollution of said waters as aforesaid the development and improvement of various types of property and the operation of various business enterprises adjacent to and related to the use of said waters are hampered and retarded.

11. The effects of the pollution of said Missouri River hereinbefore described extend from the points where the discharges of sewage and industrial and other wastes aforesaid enter said river to the junction of said river with the Mississippi River and beyond.

12. If the sewage and industrial and other wastes discharged into said waters as aforesaid were properly, adequately, and effectively contolled and treated, the aforesaid pollution of said waters would be substantially abated and said waters would be substantially restored and improved for the uses and purposes hereinbefore described.

13. Certain of the municipalities and industries hereinbefore named as discharging sewage and industrial and other wastes into the waters hereinbefore described have in good faith manifested an intention to take steps toward abatement of the aforesaid pollution. Nevertheless effective progress toward abatement of said pollution is not being made by any of said municipalities or industries named as discharging sewage and industrial and other wastes into said waters.

14. Effective, feasible, and reasonable methods for the control and treatment of said sewage and industrial and other wastes are available to each and all of said municipalities and industries hereinbefore named as discharging the same into the waters hereinbefore described. The installation and use of facilities for such control and treatment by said municipalities and industries and each of them are reasonable and equitable measures to abate the pollution of said waters as hereinbefore described. A reasonable time therefor is as stated in the recommendations hereinafter set forth.

CONCLUSIONS

The City of Kansas City, Missouri, the City of Kansas City, Kansas, the City of North Kansas City, Missouri, the Fairfax Drainage District of Kansas, the Kaw Valley Drainage District of Kansas, and the firms or industries hereinbefore named as discharging sewage and industrial and other wastes into the waters hereinbefore described should be required to cease and desist from discharging such sewage and industrial and other wastes into said waters, either directly or indirectly, without proper, adequate, and effective control and treatment, and should be required to provide such control and treatment of such sewage and industrial and other wastes before discharging the same into said waters, so as to abate the pollution hereinbefore described, in accordance with the following recommendations.

RECOMMENDATIONS

It is recommended as follows:

1. That the City of Kansas City, Missouri, the City of Kansas City, Kansas, the City of North Kansas City, Missouri, the Fairfax Drainage District of Kansas, the Kaw Valley Drainage District of Kansas, and the firms or industries hereinbefore named as now discharging sewage and industrial and other wastes into the waters hereinbefore described construct and place in operation such proper, adequate, and effective municipal and industrial sewage and waste collection, treatment, and disposal facilities as will be necessary to abate the pollution of the interstate waters hereinbefore described in accordance with the schedule hereinafter set forth.

2. On or before November 15, 1960, each such firm or industry desiring to be served by the public sewerage system of the appropriate municipality shall advise such municipality of the volume and character of sewage and industrial and other wastes it proposes to discharge to the public system. Should any such firm or industry not desire to be served by such public system, it shall advise such municipality of its desire to be so served on or before the same date.

3. On or before May 1, 1961, each municipality hereinbefore named shall complete the arrangements for the financing of the remedial facilities hereinbefore described.

4. On or before May 1, 1961, each municipality hereinbefore named shall, in writing, instruct its engineer to proceed with final plans and specifications for proper; adequate, and effective treatment facilities for

the sewage and industrial and other wastes to be disposed of through its public system. If such action is not taken by any such municipality, or if such instruction does not provide for service to any industry referred to in Paragraph 1 hereof, each such industry shall initiate detailed planning for its own remedial facilities not later than May 31, 1961.

5. On or before July 1, 1962, final plans and specifications for all such remedial facilities shall be completed and submitted to the state water pollution control agency having jurisdiction for review and approval.

6. On or before January 1, 1963, all such remedial facilities shall be placed under contract for construction, to be completed and placed in operation within a reasonable time.

7. Within 15 days after each date established in this schedule, each municipality and each firm or industry concerned shall advise the Regional Engineer, Region VI, U. S. Public Health Service, as to progress toward compliance with each step of this schedule applicable to it.

Respectfully submitted

In the name of the

HEARING BOARD IN THE MATTER OF
POLLUTION OF THE INTERSTATE WATERS
OF THE MISSOURI RIVER AND CONNECTING OR TRIBUTARY WATERS IN OR
ADJACENT TO THE KANSAS CITIES
METROPOLITAN AREA

By

/s/ Chester S. Wilson
Chester S. Wilson, Chairman

ATTEST:

/s/ Robert C. Ayers
Robert C. Ayers, Executive Secretary
Date: June 17, 1960

APPENDIX

WORKING POLICY FOR GUIDANCE OF MISSOURI RIVER WATER QUALITY PROGRAM

September 21, 1959

At conferences held in the Regional Office of the Public Health Service in Kansas City, Missouri, on June 2 and August 20, 1959, policies were established to govern specific industrial waste discharges to the Missouri River in the Kansas City Metropolitan Area. Until further notice, these policies will be adhered to by the Water Pollution Control Agencies of both Kansas and Missouri.

Parallel considerations by both States are essential to an equitable solution of the area's problems. This working policy is intended to document a mutual understanding reached before commitments are made by either State.

Over-all policy is as follows:

1. Each industry, irrespective of whether it discharges to a municipal system or through a separate outlet, will be required to maintain effective waste reduction and prevention programs, irrespective of any limits established for permissive waste discharges.

2. Waste discharges will be evaluated on the basis of 10,000 cfs flow in the Missouri River. Flows have been at or below this level during approximately 10% of the period October through March 31, 1955 through 1959. One-half of this flow, or 5,000 cfs, is considered to be allocated to each State.

3. The cumulative effect of discharges to the Missouri River permitted by either State will be guided by the Drinking Water Standards, except that for substances toxic to fish, standards generally accepted for fishery environment will be considered. It is a mutual objective to keep pollutional substances well below maximum permissible concentrations for public water supplied and for fish.

Control of specific waste components will be accomplished as follows:

OILS

Discharges of free or soluble oil to municipal systems should be limited, by the city having jurisdiction, as necessary to preclude hazards or maintenance problems to the sewer system or operating problems to the treatment plant. This can best be controlled by ordinance and policing, and the model ordinance of FSIWA may be helpful.

For industrial wastes discharged through separate outlets, total oil content should not exceed 15 ppm. In addition, refinery wastes should not exceed _*_ pounds of total oil per 1,000 barrels of crude oil processed.

PHENOLS AND RELATED COMPOUNDS

Phenols and related compounds should be removed from waste effluents prior to their discharge into sewer systems. For discharges through separate outlets, these substances in combination, should not exceed 10 ppb in the river below Kansas City. For oil refineries, phenols and related compounds should not exceed one pound per 1,000 barrels of crude processed.

MERCAPTANS

Spent caustic and any other wastes in which mercaptans are concentrated shall be precluded from the river.

CHLORIDES

The Missouri River is now relatively low in chlorides. It is the policy of both States to keep the present concentration from materially increasing. The principal source of increased chlorides will be new or expanded industries or zeolite water softeners. For this reason, each State will closely evaluate new industries for possible chloride releases before approving their discharges. If significant contributions of chlorides are anticipated, the State in which the new or expanded industry is located will check with the other State and seek clearance prior to approving the release.

ALUMINUM, IRON, PHOSPHATES, SILICATES, SODIUM SULPHATES

The Missouri River is now relatively low in these ions. It is the policy of both States to keep the present concentration from materially increasing. Each State will thus closely evaluate new industries for possible releases of significant quantities of these ions before approving the discharge. If significant contributions are anticipated, the State in which the new or expanded industry is located will check with the other State and effect clearance prior to approving the release.

ACIDS AND BASES

Unfavorable acidity-alklinity relationships in the Missouri River is not now a problem, and the River is considered to have a tremendous buffering capacity to absorb either acids or bases without detriment to downstream water uses.

Control of either acid or alkaline wastes required prior to their discharge to a municipal sewer system would thus largely be determined by those measures necessary to prevent deterioration to the sewer system and treatment works, and to prevent interference with the treatment processes. Control of discharges of these materials through separate outlets would normally be limited to effective dispersal or other provision to minimize unfavorable conditions in the vicinity of the discharge.

* To be established after further study.

It will be the policy of each State to carefully review proposed releases of acid or alkaline wastes of significant magnitude, and if the buffering potential of the Missouri River is seriously encroached upon, determine the acceptability of the proposed discharge to the other State prior to approval of the release.

CADMIUM, COPPER, CYANIDE, HEXAVALENT CHROMIUM, NICKEL, TIN, ZINC, FLUORIDE

Problems with respect to these substances are minimal in the Missouri River at this time. It is believed that satisfactory control can be accomplished if batch discharges are eliminated and continuous discharge at a controlled rate provided. If the discharge is to a municipal system, maintenance of concentrations sufficiently low to prevent interference with the treatment process will be necessary. The rate of release for controlled discharges to a municipal system may be best stated by the city in terms of pounds per hour.

FREE AMMONIA (NH_3)

It will be the objective that both States maintain the free ammonia content not to exceed 1 ppm in the river below Kansas City. Before authorizing discharges of free ammonia that would increase the content above this level, the State having jurisdiction will check with the other State and seek concurrence prior to the action.

SUSPENDED SOLIDS

All waste discharged to the Missouri River should be essentially free of floating and settleable organic solids. For waste discharged to a municipal system, solids should not be discharged in quantity that would interfere with the operation of the treatment plant, or produce an unusual amount of sewage sludge and related problems of disposal.

COD AND DISSOLVED BOD

The reduction in BOD and COD provided by primary treatment in public sewage treatment facilities will be adequate. In addition, industries discharging to municipal plants will be required to maintain effective in-plant waste reduction and prevention programs, particularly for waste components not susceptible to removal in primary plants. Industries with separate waste outlets will be required to remove those components which float, settle, are toxic or cause tastes and odors. When this is accomplished, no additional facilities will be required for the removal of BOD.

CHELATING AGENTS

The adverse effects of chelating agents appear to be limited to interference with treatment processes designed to effectively remove waste constituents carried in suspension. For industrial waste discharged to municipal systems or to industrial waste treatment plants, chelating agents in concentration insufficient to adversely influence the efficiency of the treatment process will be acceptable.